

Monday, 17 June, 1946

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INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment,
at 0930.

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Appearances:

For the Tribunal, same as before.

For the Prosecution Section, same as before.

For the Defense Section, same as before with
the addition of: KUSANO, Hyoichiro, Counsel for Accused
SATO, Kenryo.

(English to Japanese and Japanese
to English interpretation was made by
MORI, Tomio and SHIMANOUCHI, Toshiro,
Larry Miyamoto acting as Monitor.)

THE PRESIDENT: All of the accused are present
except OKAWA and MATSUOKA, who appear by their respect-
ive counsel.

Are there any additional appearances of counsel?

1 Does any counsel desire to bring up any
2 matter?

3 Mr. Mattice. I understand, Mr. Mattice,
4 that you desired to see me in Chambers this morning
5 at nine o'clock. I was present but you did not attend.

6 MR. MATTICE: Yes, your Honor. On Friday
7 night, at a meeting of American counsel, the chair-
8 man was authorized to select a committee, comprised
9 of four members, to seek a conference with your
10 Honor in respect to certain practice matters. The
11 chairman selected such a committee on Saturday
12 morning; but, before they could be notified, the
13 weekend began, and we were unable to get the committee
14 together. The committee, not having been able to
15 meet and organize, were, therefore, unable to keep
16 their appointment with your Honor this morning, and
17 we shall desire to do so at some later and convenient
18 time, if we may.

19 And, while on this subject, difficulties
20 of the defense section are increasing and multiply-
21 ing. Transportation difficulties have become worse
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1 day by day. The administrative office for the
2 defense section, under the forty-four hour week
3 arrangement, is closed on Saturday afternoons and
4 on Sundays, and we found ourselves unable to function
5 over this weekend.

6 In addition to that, if the Tribunal
7 please, the personnel of the administrative office
8 of the defense section has been, for I do not know
9 what reasons, greatly depleted in the last week
10 so that it has insufficient personnel to attend to
11 our needs. The officer in charge of the adminis-
12 trative office has endeavored to obtain additional
13 personnel and has been unable to do so. I think
14 we might respectfully suggest to this Tribunal
15 that the Tribunal make something in the way of
16 request of General Headquarters that we be furnished
17 with at least enough in the way of personnel to
18 attend to the matters which must be attended to.

19 One further suggestion, if your Honor
20 please: If the situation that now exists continues,
21 I think we might suggest an amendment to the rules
22 in respect to service of documents twenty-four
23 hours before they are offered in evidence because,
24 if documents are served through the Secretariat's
25 office on Saturday afternoon, we cannot have them

1 until Monday morning and, therefore, only an hour or
2 two before they are offered. May we suggest an
3 amendment to that rule that Saturday afternoon and
4 Sunday be not counted in computing the twenty-four
5 hour period?

6 THE PRESIDENT: Or any other holiday such
7 as Independence Day.

8 MR. MATTICE: That is all I have to say.

9 THE PRESIDENT: Yes. Well, the Court will
10 consider what you have said, Mr. Mattice.

11 Mr. Justice Mansfield.

12 MR. JUSTICE MANSFIELD: If the Tribunal
13 please, in answer to the matter which has just been
14 put before the Court, the prosecution is faced with
15 many difficulties in translating, and up to the pres-
16 ent I have been able to deliver the documents twenty-
17 four hours before they are produced in evidence.
18 The administrative office of the prosecution is open
19 on Saturdays and Sundays, and members of the prose-
20 cution counsel have been working on Saturdays and
21 Sundays for some considerable time. The prosecution,
22 therefore, objects in all respects to the lengthening
23 of the time for delivery of documents and also to
24 Saturdays and Sundays and other holidays being counted
25 as dies non. The difficulty, apparently, is purely

1 one of administration, as far as keeping the office
2 open is concerned, and, if the prosecution attorneys
3 are able to work during the weekend, the prosecution
4 respectfully submits that there is no reason why the
5 defense counsel should not also be able to work
6 during a similar period.

7 THE PRESIDENT: The Members of the Tribunal
8 would like the lighting in this court to be reduced
9 as far as practicable pending the installation of
10 air conditioning.

11 Mr. Horwitz.

12 MR. HORWITZ: We next offer in evidence on
13 behalf of the prosecution, exhibit No. 111, being the
14 Cabinet Secretariat personnel record of KAYA, Okinori.
15 We desire to call the particular attention of the Court
16 to the following entries contained in this document:

17 April 29, 1934, decorated with the 4th Order
18 of Merit with the Single Ray of the Rising Sun for
19 services in the 1931 to 1934 incident.

20 June 8, 1934, appointed member of the
21 Investigation Committee on Cultural Works for China.

22 June 1, 1935, appointed member of the
23 Overseas Colonization Committee.

24 May 30, 1936, appointed Director of the
25 Financial Bureau.

1 June 8, 1936, appointed a Councillor of
2 the Manchurian Affairs Bureau.

3 February 2, 1937, appointed Vice Minister of
4 Finance; appointed Acting Director of the Financial
5 Bureau of Finance Ministry.

6 February 4, 1937, released from the position
7 of Acting Director of the Financial Bureau.

8 February 20, 1937, appointed a member of
9 the Information Committee.

10 February 24, 1937, appointed Councillor of
11 the Cabinet Investigation Bureau; appointed Councillor
12 of the Manchurian Affairs Bureau.

13 March 1, 1937, appointed member of the Opium
14 Committee.

15 May 14, 1937, appointed Councillor of the
16 Investigation Bureau of the Cabinet. This office was
17 abolished by Imperial Ordinance 192 of 1937.

18 June 4, 1937, appointed Finance Minister.

19 April 28, 1938, permitted to receive and wear
20 the First Order of Merit with the Pillar of State
21 granted by the Emperor of Manchukuo.

22 May 26, 1938, resigned from the regular
23 post.

24 July 1, 1938, appointed adviser to the
25 Finance Ministry.

1 December 9, 1938, became a member of the
2 House of Peers by Article I, No. 4, of the House of
3 Peers Committee.

4 July 5, 1939, appointed a member of the
5 Asia Development Committee.

6 August 14, 1939, appointed member of the
7 North China Development Company, Limited.

8 September 6, 1939, appointed member of the
9 National Spiritual General Mobilization Committee.

10 October 18, 1941, appointed Finance Minister,
11 and relieved of the post of President of the North
12 China Development Company, Limited.

13 October 24, 1941, relieved of duty as adviser
14 to the Finance Minister at his request.

15 March 17, 1942, appointed chairman of the
16 Organizing Committee for the Southern Regions Development
17 Bank.

18 March 24, 1942, appointed chairman of the
19 Organizing Committee for the War-time Finance Bank.

20 April 2, 1942, released from the post of
21 chairman of the Organizing Committee for the Southern
22 Regions Development Bank.

23 April 24, 1942, released from the post of
24 chairman of the Organizing Committee for the War-time
25 Finance Bank.

1 February 19, 1944, resigned from the
2 principal post; specially granted the privileges of
3 his former post.

4 February 29, 1945, appointed member of the
5 War-time Price Council.

6 May 19, 1945, appointed Financial Adviser
7 to the Finance Ministry.

8 August 29, 1945, appointed adviser to the
9 Finance Ministry.

10 September 29, 1945, relieved of the post
11 of adviser to the Finance Ministry.

12 December 3, 1945, resigned from the House
13 of Peers.

14 THE PRESIDENT: The document is admitted
15 on the same terms.

16 (Whereupon, prosecution's exhibit
17 No. 111 was received in evidence.)

18 MR. HORWITZ: We next offer in evidence on
19 behalf of the prosecution exhibit No. 112, being the
20 Cabinet Secretariat personnel record of KIDO, Koichi.
21 We call the particular attention of the Court to the
22 following entries contained in this document:

23 October 30, 1928, appointed Chief Secretary
24 to the Lord Keeper of the Privy Seal, and concurrently
25 an adviser to the Imperial Household Ministry.

1 August 24, 1933, appointed President of
2 the Bureau of Peerage and Heraldry, and concurrently
3 Chief Secretary to the Lord Keeper of the Privy Seal.

4 April 29, 1934, invested with the Middle
5 Cordon of the Rising Sun, for his services in the
6 Affair extending from 1931 to 1934.

7 October 22, 1937, appointed Education
8 Minister.

9 January 11, 1938, additionally appointed
10 the Welfare Minister.

11 May 26, 1938, relieved of the main post
12 and became full-time Welfare Minister.

13 January 5, 1939, relieved of his post at his
14 own request.

15 June 1, 1940, appointed Lord Keeper of the
16 Privy Seal.

17 October 10, 1945, granted a longevity
18 allowance of 800 yen.

19 From exhibit 102 we call attention to the
20 fact that on November 24, 1945 he resigned as Lord
21 Keeper of the Privy Seal.

22 THE PRESIDENT: The document will be admitted
23 on the same terms.

24 (Whereupon, prosecution's exhibit
25 No. 112 was received in evidence.)

1 MR. HORWITZ: We next offer in evidence, on
2 behalf of the prosecution, exhibit No. 113, being the
3 Cabinet Secretariat personnel record of KIMURA,
4 Heitaro. We call the particular attention of the
5 Court to the following entries contained in this
6 instrument:

7 September 6, 1929, assigned as member of
8 the Army General Staff Office.

9 September 10, 1929, concurrently assigned
10 as Staff Officer of the Navy General Staff Office.

11 November 12, 1929, appointed member of
12 suite of plenipotentiary to attend London Naval
13 Conference.

14 April 29, 1934, decorated with the 3rd
15 Order of Merit with the Order of Sacred Treasure
16 in recognition of his services during the Incident
17 1931 to 1934.

18 March 15, 1935, assigned as Chief of Con-
19 trol Section, Mobilization Plans Bureau, War Ministry.

20 August 1, 1936. Appointed Army Major
21 General.

22 August 1, 1936, assigned as Director of
23 the Bureau of Ordnance, War Ministry.

24 September 19, 1936, appointed member of
25 Investigation Committee for Unifying Industrial

1 Produce Standards.

2 March 9, 1939, appointed Army Lieutenant
3 General and assigned as Commander of the 32nd Division.

4 April 29, 1940, in recognition of his
5 services during the China Incident, decorated with the
6 3rd Class Order of the Golden Kite and the First
7 Order of Merit with the Grand Cordon of the Rising Sun.

8 November 7, 1940, appointed Japanese Committee
9 Member in the Japan-Manchoukuo Economic Joint Committee;
10 appointed Japanese Committee Member in the Manchurian
11 Land Development (or Colonial) Committee.

12 April 10, 1941, appointed War Vice Minister.

13 April 19, 1941, appointed Director of War
14 Supplies Inquiry Commission.

15 April 21, 1941, relieved of post as Japanese
16 Committee Member in the Japan-Manchukuo Economic
17 Joint Committee; relieved of post as Japanese
18 Committee Member in the Manchuria Land Development
19 (or Colonial) Committee.

20 May 3, 1941, appointed member of the
21 Central Anti-Aircraft Committee.

22 May 5, 1941, appointed Councillor of the
23 Planning Board; appointed Councillor of the Total
24 Strength War Research Institute; appointed member of
25 Education Inquiry Commission; appointed member of the

1 Extraordinary Funds Adjustment Committee; appointed
2 member of the State General Mobilization Inquiry
3 Commission; appointed member of the Government
4 Financing and Assets Appraisal Committee.

5 May 6, 1941, appointed member of the
6 Communication Industry Adjustment Committee.

7 May 7, 1941, appointed member of the
8 Iron Industry Appraisal Committee; appointed
9 member of the Organic Synthetic Industry Committee;
10 appointed member of the Mining Industries Total
11 Strength Development Committee; appointed
12 member of the Price Fixing Central Committee.

13 May 9, 1941, appointed member of the
14 National Savings Encouragement Committee; appointed
15 member of the Science Promotion Investigation
16 Commission.

17 May 10, 1941, appointed member of
18 Central Wages Committee.

19 May 22, 1941, appointed member of the
20 Machine Tools Manufacturing Industry Committee.

21 May 29, 1941, appointed member of the
22 Inquiry Commission charged with relief measures for
23 servicemen.

24 May 31, 1941, appointed member of the
25 Central Electric Power Adjustment Committee.

1 June 9, 1941, appointed member of the
2 Oversea Colonial Investigation Commission.

3 July 5, 1941, appointed member of the
4 Electric Power Inquiry Commission.

5 July 25, 1941, appointed member of the
6 Engineering Works Council.

7 September 30, 1941, appointed member of
8 establishment Committee of the East Asia Shipping
9 Company.

10 November 4, 1941, relieved of his post as
11 member of establishment Committee of the East Asia
12 Shipping Company.

13 November 15, 1941, appointed the Government
14 committee member attending matters under the juris-
15 diction of War Ministry for the 77th Session of Diet.

16 December 15, 1941, appointed the Government
17 committee member attending matters under the juris-
18 diction of the War Ministry for the 78th Session of
19 the Diet.

20 December 25, 1941, appointed the Government
21 committee member attending matters under the juris-
22 diction of War Ministry for the 79th Session of the
23 Diet.

24 December 29, 1941, appointed a member of
25 the Enemy Property Control Committee.

1 February 21, 1942, appointed manager of
2 the Greater East Asia Construction Inquiry Commission.

3 March 17, 1942, appointed member of
4 Establishment Committee of the Southern Regions
5 Development Bank.

6 May 26, 1942, appointed the Government
7 committee member attending matters under the juris-
8 diction of War Ministry for the 80th Session of the
9 Diet.

10 September 28, 1942 commissioned as
11 committee member of the Investigation and Research
12 Conference.

13 November 1, 1942, appointed member of the
14 Greater East Asia Liaison Committee.

15 December 24, 1942, appointed the Government
16 Committee attending matters under the juris-
17 diction of War Ministry for the 81st Session of the
18 Diet.

19 March 11, 1943, relieved of present post
20 at his own request.

21 March 20, 1943, relieved of post as Chair-
22 man of the Army Munitions Inquiry Commission.

23 October 14, 1943, appointed member of the
24 Research and Mobilization Conference.

25 August 30, 1944, assigned as the Commander-

1 in-Chief of the Japanese Armed Forces in the Burma
2 Area.

3 September 16, 1944, relieved of post as
4 member of the Research and Mobilization Conference.

5 March 5, 1945, appointed Army General.

6 THE PRESIDENT: Admitted on the usual terms.

7 (Whereupon, prosecutions exhibit
8 No. 113 was received in evidence.)
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1 MR. HOTWITZ: We next offer in evidence, on
2 behalf of the prosecution, exhibit No. 114, being the
3 Cabinet Secretariat personnel record of KOISO, Kuniaki.

4 We desire to call the particular attention of
5 the Court to the following entries contained in this
6 document:

7 August 21, 1930, assigned as Director of the
8 War Service Bureau in the War Ministry, and as Chief
9 Secretary of the Supreme War Council.

10 December 24, 1930, ordered as a government
11 representative for matters under the jurisdiction of
12 the War Ministry in the 59th Session of the Imperial
13 Diet.

14 August 1, 1931, promoted to Lt. General.

15 December 24, 1931, ordered as a government
16 representative for matters under the jurisdiction of the
17 War Ministry in the 60th Session of the Imperial Diet.

18 February 29, 1932, relieved of his principal
19 and additional post, and appointed Vice-Minister of War.

20 July 8, 1932, ordered President of the Army
21 Munitions Investigation Commission.

22 August 8, 1932, relieved of his post at his
23 own request.

24 August 8, 1932, ordered as Chief of Staff in
25 the Kwantung Army, and Executive of the Special Service

Department in the Kwantung Army.

September 1, 1932, relieved as President of the Army Munitions Investigation Committee.

March 5, 1934, relieved as Chief of Staff and Special Service Executive in the Kwantung Army; ordered as the 5th Division Commander.

April 29, 1934, decorated with the Imperial Military Order of the Golden Kite, Annuity ¥1000; and decorated with the Grand Cordon of the Imperial Order of the Rising Sun for meritorious services in the 1931-1934 Affair.

December 2, 1935, released from his principal post; and assigned as the Korea Army Commander.

November 1, 1937, appointed Army General.

July 15, 1938, ordered as an Attache to the Army General Staff Headquarters.

July 29, 1938, placed on the reserve list at his own request.

April 7, 1939, appointed Minister of Overseas Affairs.

August 30, 1939, relieved of his post at his own request.

January 16, 1940, appointed Minister of Overseas Affairs.

April 1, 1940, ordered member of the Price

Control Committee.

1 April 16, 1940, ordered to take an official
2 trip to China.

3 July 22, 1940, relieved of his post at his
4 own request.

5 April 21, 1942, ordered a member of the
6 Committee for the Establishment of Greater Asia.

7 May 29, 1942, appointed Governor-General of
8 Korea.

9 June 20, 1942, relieved as a member of the
10 Investigation Committee for the Establishment of Greater
11 East Asia.

12 August 18, 1942, relieved as a member of the
13 Overseas Colonization Committee.

14 July 22, 1944, appointed Prime Minister.

15 April 7, 1945, relieved of his post at his
16 own request.

17 From exhibit 102, we call attention that on
18 August 18, 1942, he became a member of the Supreme War
19 Council.

20 THE PRESIDENT: Admitted on the same terms.

21 (Whereupon, prosecution's exhibit
22 No. 114 was received in evidence.)

23 MR. HORWITZ: We next offer in evidence, on
24 behalf of the prosecution, exhibit No. 115, being the
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1 Cabinet Secretariat personnel record of MATSUI, Iwane.

2 I call the particular attention of the Court
3 to the following entries in this document:

4 December 21, 1928, assigned to the General
5 Staff Office.

6 August 1, 1929, relieved of the assignment
7 to the above office; appointed Commander of the 11th
8 Division.

9 October 1, 1931, assigned to the General
10 Staff Office.

11 December 9, 1931, ordered to Geneva as a
12 delegate plenipotentiary to the General Disarmament
13 Conference.

14 February 4, 1933, relieved of the post of
15 delegate plenipotentiary to the Geneva General Disar-
16 mament Conference.

17 March 18, 1933, relieved of the assignment
18 to the General Staff Office; and appointed War Coun-
19 cillor.

20 August 1, 1933, appointed Commander of the
21 Formosan Army Corps.

22 October 20, 1933, promoted to General.

23 April 29, 1934, decorated with the Grand
24 Cordon of the Rising Sun for meritorious service during
25 the Incident 1931-1934.

1 August 1, 1934, appointed War Councillor.

2 August 1, 1935, placed on the waiting list.

3 August 28, 1935, placed on the reserve list.

4 August 15, 1937, appointed Commander of the
5 Shanghai Expeditionary Force.

6 October 30, 1937, relieved of the above post.

7 October 30, 1937, appointed Commander of the
8 Middle China Expeditionary Force; also, concurrently
9 Commander of the Shanghai Expeditionary Force.

10 July 5, 1939, appointed to the Committee of
11 the East Asia Commission.

12 March 5, 1938, repatriated from overseas.

13 July 20, 1938, appointed Cabinet Councillor.

14 January 23, 1940, relieved of the above post.

15 April 29, 1940, decorated with the First
16 Class Order of the Golden Kite for the meritorious war
17 services during the China Incident.

18 THE PRESIDENT: Admitted on the same terms.

19 (Whereupon, prosecution's exhibit
20 No. 115 was received in evidence.)

21 MR. HORWITZ: We next offer in evidence, on
22 behalf of the prosecution, exhibit No. 116, being the
23 Cabinet Secretariat personnel record of MATSUOKA,
24 Yosuke.

25 We call the particular attention of the Court

1 to the following items in this document:

2 July 19, 1927, appointed Vice-President of
3 the South Manchuria Railway Company, Ltd.

4 June 21, 1929, appointed Vice-Governor to
5 the Company by Imperial Ordinance No. 178.

6 August 17, 1929, released from the post by
7 request.

8 February 20, 1930, elected as a member of
9 Parliament, Imperial Diet.

10 October 11, 1932, appointed Representative
11 of Japan to the Extraordinary General Meeting of the
12 League of Nations at Geneva, Switzerland; and appointed
13 by the Emperor himself to be treated as an officer.

14 May 8, 1933, released from his post.

15 December 27, 1933, resigned as a member of
16 the Diet.

17 August 2, 1935, appointed to be President of
18 the South Manchuria Railway Company, Ltd.

19 December 23, 1935, decorated with the First
20 Order Merit of Sacred Treasures for meritorious service
21 during the Incident 1931-1934.

22 October 15, 1937, appointed Councillor of
23 the Cabinet.

24 April 30, 1938, appointed to the Organizing
25 Committee for the North China Development Company, Ltd.,

and the Central China Promotion Company, Ltd.

March 24, 1939, released as the President of the South Manchuria Railway Company, Ltd., by his own request.

November 8, 1938, released from the above post.

July 5, 1939, appointed to the Koa Committee Meeting.

January 23, 1940, released as Councillor of the Cabinet by request.

April 19, 1940, decorated with the First Order Merit with the Grand Cordon of the Rising Sun for meritorious service in the China Affair.

July 22, 1940, appointed Minister for Foreign Affairs, and additionally appointed as Minister for Overseas Affairs.

July 31, 1940, released from the Koa Committee Meeting by request.

September 28, 1940, relieved of additional post as the Minister for Overseas Affairs.

February 5, 1941, appointed as a Representative of the Empire to mediate the conflict between Siam and French Indo-China over their borders.

January 23, 1941, appointed as a Representative of the Empire at the Mixed Committee Meeting

1 of Nations - Japan, Germany and Italy - at Tokyo.

2 March 12, 1941, appointed to go to Europe.

3 July 18, 1941, released from the post by
4 request.

5 From exhibit No. 102 we call attention to
6 the fact that on July 22, 1940, he became Vice-Presi-
7 dent of the China Affair Board, and member of the
8 Supreme War Council.

9 THE PRESIDENT: Admitted on the usual terms.

10 (Whereupon, prosecution's exhibit
11 No. 116 was received in evidence.)

12 MR. HORWITZ: We next offer in evidence, on
13 behalf of the prosecution, exhibit No. 117, being the
14 Cabinet Secretariat personnel record of MINAMI, Jiro.

15 I call the particular attention of the Court
16 to the following items contained in this document:

17 March 5, 1927, appointed Vice-Chief of the
18 Army General Staff.

19 August 1, 1929, appointed Commander of the
20 Chosen Army.

21 March 7, 1930, appointed General.

22 December 22, 1930, relieved of his present
23 post, and appointed War Councillor.

24 April 14, 1931, relieved of his present post,
25 and appointed War Minister.

1 December 13, 1931, resigned from his present
2 post, and was appointed War Councillor.

3 February 9, 1934, appointed Councillor, or
4 Ziteikan.

5 December 10, 1934, relieved of his present
6 post, and appointed Commander of the Kwantung Army,
7 and concurrently Envoy Extraordinary and Ambassador
8 Plenipotentiary and the Kwantung Governor-General,
9 and was ordered to be stationed in Manchukuo.

10 December 26, 1934, the post of Kwantung
11 Governor-General was abolished by Imperial Ordinance
12 No. 348 of 1934.

13 December 23, 1935, decorated with the
14 Grand Cordon of the Rising Sun with the Paulownia
15 Flower in recognition of services in the Affairs
16 from 1931 to 1934; granted the War Medal according to
17 the purport of the Regulations for War Medals in the
18 Affairs from 1931 to 1934.

19 March 6, 1936, relieved of his concurrent
20 posts, and attached to the Army General Staff Head-
21 quarters.

22 April 18, 1936, placed on the waiting list.

23 April 22, 1936, placed on the reserve list.

24 August 5, 1936, appointed Governor-General
25 of Chosen.

1 May 29, 1942, appoin
2 April 29, 1940, gra
3 in recognition of services in
4 March 29, 1945, res
5 post.

6 March 31, 1945, app
7 House of Peers according to t
8 tions, Article 1, No. 4.

9 THE PRESIDENT: Adm

10 (Whereupon, pr

11 No. 117 was received in

12 MR. HORWITZ: We ne
13 on behalf of the prosecution,
14 the Cabinet Secretariat perso
15 Akira.

16 I call to the parti
17 Court the following items in
18

19 November 27, 1930,
20 Army General Staff Headquarte
21 Instructor of Strategy of the

22 August 1, 1931, re
23 post.

24 August 8, 1932, pr
25 Colonel.

April 29, 1934, de

alton

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1 May 29, 1942, appointed Privy Councillor.

2 April 29, 1940, granted a set of silver cups
3 in recognition of services in the China Affairs.

4 March 29, 1945, resigned from his present
5 post.

6 March 31, 1945, appointed member of the
7 House of Peers according to the House of Peers Regula-
8 tions, Article 1, No. 4.

9 THE PRESIDENT: Admitted on the same terms.

10 (Whereupon, prosecution's exhibit
11 No. 119 was received in evidence.)

12 MR. HORWITZ: We next offer in evidence,
13 on behalf of the prosecution, exhibit No. 118, being
14 the Cabinet Secretariat personnel record of MUTO,
15 Akira.

16 I call to the particular attention of the
17 Court the following items in this exhibit:

18 November 27, 1930, appointed member of the
19 Army General Staff Headquarters, and concurrently
20 Instructor of Strategy of the Military Staff College.

21 August 1, 1931, relieved of his concurrent
22 post.

23 August 8, 1932, promoted to Infantry Lt.
24 Colonel.

25 April 29, 1934, decorated with the Third

1 Merit with the Order of the Middle Cordon of the
2 Rising Sun for his services in the 1931-1934 Inci-
3 dent.

4 March 15, 1935, assigned to the Army Ordinance Main Depot, and concurrently to the Military
5 Affairs Bureau of the War Ministry.

6 August 1, 1935, appointed staff member of
7 the Military Affairs Bureau of the War Ministry.

8 June 19, 1936, appointed staff officer of
9 the Kwantung Army.

10 August 1, 1936, promoted to Infantry Colonel.

11 March 1, 1937, appointed Section Chief of
12 the Army General Staff Headquarters, and relieved of
13 the post of staff officer of the Kwantung Army.

14 April 1, 1937, appointed concurrently
15 member of the Naval General Staff Headquarters.

16 April 15, 1937, appointed member of the
17 Army Munitions Investigation Commission.

18 April 15, 1937, appointed member of the
19 Army Munitions Industry Mobilization; Agreement
20 Commission.

21 December 23, 1937, relieved of the post
22 of member of the Army Munitions Investigation Com-
23 mission.

24 October 30, 1937, relieved of the
25

1 concurrent post of member of the Naval General Staff
2 Headquarters.

3 March 9, 1939, promoted to Major General.

4 October 10, 1939, appointed Councillor of
5 the Bureau of Education. This office was abolished
6 by Imperial Ordinance No. 748, of November 1, 1942.

7 September 30, 1939, relieved of the post
8 of Vice-Chief of Staff of the North China Army;
9 appointed Director of the Military Affairs Bureau
10 of the War Ministry, and concurrently Chief Secretary
11 of the Supreme War Council; appointed member of the
12 War Ministry suite at the Imperial Headquarters.

13 October 12, 1939, appointed Councillor
14 of the Planning Board; appointed Councillor of the
15 Manchurian Affairs Board; appointed to the Committee
16 of the Cabinet Information Bureau; appointed Sec-
17 retary of the National General Mobilization Council;
18 appointed temporary member of the Electric Communica-
19 tions Commission; appointed a member of the Liaison
20 Committee of the Asia Development Board.

21 October 13, 1939, appointed member of the
22 China Affair Damage Investigation Commission.

23 November 7, 1939, appointed Councillor of
24 the Overseas Affairs Bureau of the Overseas Affairs
25 Ministry.

1 December 11, 1939, appointed member of
2 the Books for Japanese Language Textbooks Investiga-
3 tion Commission.

4 December 24, 1939, appointed Government
5 Commissioner for Affairs under the jurisdiction of
6 the War Ministry in the 75th Diet.

7 April 29, 1940, decorated with the Third
8 Order of the Golden Kite for services in the China
9 Affair, and decorated with the Order of the Double
10 Rays of the Rising Sun.

11 November 13, 1940, the post of Councillor
12 of the Overseas Affairs Bureau was abolished by
13 Imperial Ordinance No. 760 of 1941.

14 December 24, 1940, appointed Government
15 Commissioner for Affairs under the jurisdiction of
16 the War Ministry in the 75th Diet.

17 December 26, 1940, appointed Councillor of
18 the South Seas Bureau of the Overseas Affairs Ministry.

19 February 6, 1941, appointed member of the
20 suite of the Japanese Commission for mediation of the
21 border dispute between Siam and French Indo-China.

22 January 23, 1941, appointed Japanese member
23 of the Italo-German-Japanese Mixed Commission held in
24 Tokyo.

25 October 15, 1941, promoted to Lt. General.

1 November 15, 1941, appointed Government
2 Commissioner for Affairs under the jurisdiction of
3 the War Ministry in the 77th Diet.

4 December 15, 1941, appointed Government
5 Commissioner for Affairs under the jurisdiction of
6 the Army Ministry in the 78th Diet and in the 79th
7 Diet.

8 February 21, 1942, appointed Secretary of
9 the Greater East Asia Construction Council.

10 March 17, 1942, appointed a member of the
11 Establishment Commission for the Southern Regions
12 Development Bank.

13 April 2, 1941, relieved of the post of
14 member of Establishment Commission for the Southern
15 Regions Development Bank.

16 April 20, 1942, appointed Commander of the
17 Imperial Guards Division.

18 May 11, 1942, relieved of the post of
19 Councillor of the General Affairs Bureau of the
20 Agriculture and Forestry Ministry; relieved of the
21 post of member of the Planning Commission.

22 May 13, 1942, relieved of the post of
23 Councillor of the Manchurian Affairs Bureau; re-
24 lieved of the post of Councillor of the Planning
25 Board; relieved of the post of Secretary of the

1 National General Mobilization Council; relieved of
2 the post of Secretary of the Greater East Asia
3 Construction Council; relieved of the post of member
4 of the Liaison Committee of the Asia Development
5 Board.

6 September 16, 1942, relieved of the post
7 of member of the Enemy Property Administration
8 Commission.

9 December 17, 1942, relieved of the post
10 of the Japanese member of the Italo-German-Japanese
11 Mixed Commission held in Tokyo.

12 June 1, 1943, appointed Commander
13 of the Second Imperial Guards Division.

14 From exhibit 102, on October 5, 1944,
15 he became Chief of Staff to the 14th Area Army.

16 THE PRESIDENT: Admitted on the usual terms.

17 (Whereupon, prosecution's exhibit
18 No. 118 was received in evidence.)

19 MR. HORWITZ: We next offer in evidence,
20 on behalf of the prosecution, exhibit No. 119, being
21 the Cabinet Secretariat personnel record of
22 NAGANO, Osami.

23 We call the particular attention of the
24 Court to the following items in this document:

25 December 1, 1927, appointed Vice-Admiral.

1 January 15, 1928, assigned as observer
2 to the Naval General Staff.

3 December 10, 1928, appointed Superinten-
4 dent of the Naval Academy.

5 June 10, 1930, appointed Vice-Chief of the
6 Naval General Staff.

7 June 18, 1930, appointed member of the
8 National Resources Council.

9 October 10, 1931, assigned as observer to
10 the Naval General Staff.

11 October 21, 1931, relieved of the post of
12 member of the National Resources Council.

13 December 9, 1931, appointed Plenipotentiary
14 to the Disarmament Conference at Geneva.

15 April 25, 1933, relieved of the post of
16 Plenipotentiary to the Disarmament Conference at
17 Geneva.

18 November 15, 1933, relieved of his principal
19 post; appointed Commander-in-Chief of the Yokosuka
20 Naval Station; appointed concurrently member of the
21 Council of Admirals.
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1	1934 Mar 1	Appointed Admiral.
2	1934 Apr 29	Decorated with the Grand Cordon
3		of the Rising Sun in recognition
4		of merits in the Incident of 1931-
5		1934.
6	1934 Nov 15	Relieved of the principal and con-
7		current posts and appointed War
8		Councillor.
9	1935 Nov 4	Appointed Flenipotentiary to the
10		London Naval Disarmament Conference.
11	1936 Mar 9	Relieved of the main post and
12		appointed Minister of the Navy.
13	1937 Feb 2	Relieved of the main post at his
14		own request; appointed Commander-
15		in-Chief of the Combined Fleet and
16		concurrently Commander-in-Chief of
17		the First Fleet.
18	1937 Dec 1	Relieved of the main and concurrent
19		posts; appointed War Councillor.
20	1937 Dec. 13	Appointed Councillor or "GITEIKAN."
21	1938 Nov 2	Granted a set of silver cups in
22		recognition of the merits in the
23		conclusion of the Anti- Comintern
24		Pact between Japan and Germany.
25	1941 Apr 9	Appointed Chief of the Naval General

Staff.

1
2 1943 Jun 21 Conferred the title of Admiral of
3 the Fleet and appointed member of
4 the Board of Marshals and Fleet
5 Admirals.

6 1945 Nov 30 As the result of the abolition of
7 the Regulations of the Board of
8 Marshals and Admirals of the Fleet
9 by Imperial Ordinance No. 669, the
10 title of Admiral became extinct
11 automatically.

12 From Exhibit 102, we call attention to
13 the fact that on April 9, 1941 he concurrently be-
14 came Supreme War Councillor, and on February 21,
15 1944 he was relieved as Chief of Staff of the Navy.

16 THE PRESIDENT: Admitted on the same
17 ground.

18 (Whereupon prosecution's exhibit
19 No. 119 was received in evidence.)

20 MR. HORWITZ: We next offer in evidence,
21 on behalf of the prosecution, exhibit No. 120,
22 being the Cabinet Secretariat Personnel Record of
23 OKA, Takasumi. We call the particular attention
24 of the Court to the following entries in this ex-
25 hibit.

1	1931 Oct 10	Appointed as staff member in the Naval
2		General Staff.
3	1931 Oct 31	Bestowed a silver cup for services in
4		the conclusion of the London Naval
5		Treaty.
6	1932 Oct 25	Appointed as representative to the
7		Plenipotentiary attending to the
8		General Disarmament Conference in
9		Geneva.
10	1933 Nov 15	Appointed as Captain.
11		Appointed as follower to the Imperial
12		Naval Representative at the Standing
13		Consultative Committee concerning
14		Military, Naval and Airforce Problems
15		in the League of Nations.
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1	1933 Nov 15	Appointed a member of the Naval General
2		Staff
3	1933 Dec 28	Discharged as representative to the
4		Imperial Naval Representative at the
5		Standing Consultative Committee con-
6		cerning Military, Naval and Air Force
7		Problems in the League of Nations;
8		Appointed an observer in the Naval
9		General Staff and an observer in the
10		Navy Ministry
11	1934 Apr 26	Released from the following to the
12		Plenipotitary attended at the General
13		Disarmament Conference in Geneva
14	1934 Apr 29	Decorated with the Middle Cordon of
15		the Rising Sun (for the merits in
16		1931-1934 Incidents)
17	1937 Dec 1	Appointed an observer in the Naval
18		General Staff and also an observer
19		in the Navy Ministry
20	1938 Jan 15	Appointed as Chief of No. 1 Section,
21		Bureau of Naval Affairs and also a
22		member of the Naval Technical Council
23	1938 Jan 21	Appointed as member of the Committee
24		in the Information Bureau of the
25		Cabinet

1	1938 Jan 22	In charge of the Secretary to the
2		Second Committee and of the Secretary
3		of the 3rd Committee
4	1938 Jan 25	Appointed as secretary of the Bureau
5		of Manchurian Affairs
6	1938 Apr 30	Appointed as supporter to the Organ-
7		izing Committee of the North China
8		Development Co., Ltd., and the Central
9		China Development Co., Ltd.
10	1938 Nov 8	Released as supporter of the Organ-
11		izing Committee of the North China
12		Development Co., Ltd., and the Cen-
13		tral China Development Co., Ltd.
14	1939 Jan 19	Appointed a government commissioner
15		on matters related to the Navy Ministry
16		in the 74th Session of the Diet
17	1939 Feb 21	Appointed secretary of the Connecting
18		Committee of the China Affairs Bureau
19	1939 May 22	Released as secretary of the 2nd
20		Committee
21	1939 Aug 2	Appointed secretary of the Overseas
22		Colonization Investigation Council
23	1939 Aug 3	Appointed secretary of the Temporary
24		Council examining Manchurian Colonists
25	1939 Oct 19	Released from member of Committee in

1		the Information Bureau of the Cabinet;
2		Released from the secretary of the
3		Electrical Communication Committee;
4		Released as secretary of the Temporary
5		Council examining Manchurian Colonists;
6		and Discharged as secretary of the
7		Overseas Colonization Investigation
8		Council
9	1939 Oct 21	Released from duties as secretary
10		of the Bureau of Manchurian Affairs
11	1939 Oct 23	Released from the duties of secretary
12		to the Committee Appraising Properties
13		invested by the government to the
14		North China Development Co., Ltd.
15		and the Central China Development
16		Co., Ltd.
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1	1939 Oct 23	Released from the duties of secretary in the Connecting Committee,
2		the China Affairs Board
3		
4	1939 Nov 15	Appointed as Rear Admiral
5	1940 Apr 29	Decorated with the 4th Class Order
6		of the Golden Kite and with the 2nd
7		Class Order of the Sacred Treasure
8		(Both for the merits in the China
9		Incident)
10	1940 Oct 15	Appointed Chief of the Bureau of
11		Naval Affairs, the Navy Ministry
12		and also a member of the Board of
13		Admirals; Discharged from the Naval
14		Staff in the Imperial Headquarters
15		and was appointed member in the Department of Naval Preparedness Examination, the Imperial Headquarters
16		
17		
18	1940 Nov 7	Appointed Councillor to the Bureau
19		of General Affairs, the Commerce and
20		Industry Ministry;
21		Appointed member of the Materials and
22		Resources Utilization Committee
23		
24		
25	1940 Nov 8	Appointed secretary of the National

1		General Mobilization Council;
2		Appointed secretary of the Scientific Council
3		
4	1940 Nov 14	Appointed member of the Iron Industry Committee
5		
6	1940 Nov 21	Appointed Councillor to the Cabinet Planning Board;
7		
8		Appointed member of the Connecting Committee, the Bureau of China Affairs
9		
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11	1940 Nov 27	Appointed member of the Agriculture and Forestry Planning Committee
12		
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14	1940 Dec 2	Appointed member of the Central Air Defense Committee
15		
16	1940 Dec 24	Appointed Government Commissioner on matters related to the Navy Ministry in the 76th Session of the Diet
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20	1940 Dec 26	Appointed Councillor of the Bureau of Southern Colonization, the Oversea Affairs Ministry
21		
22		
23	1941 Jan 13	Released as the Councillor of the Commerce and Industry Ministry
24		
25	1941 Jan 17	Discharged from the duties as secre-

1		tary of the Scientific Council and
2		Discharged from the duties of mem-
3		ber to the Materials and Resources
4		Utilization Committee
5	1941 Jan 18	Appointed Councillor of the Bureau
6		of Manchurian Affairs and released
7		from his duties of secretary to the
8		National General Mobilization Coun-
9		cil
10	1941 Jan 22	Released from the duties as member
11		of the Agriculture and Forestry
12		Planning Committee
13	1941 Feb 6	Appointed follower to the Imperial
14		Commissioner arbitrating the dispute
15		on the border of Siam and Indo-China
16	1941 Jan 23	Appointed Imperial Member in German-
17		Italian-Japanese Mixed
18		mittee held in Tokyo
19	1941 Feb 18	Discharged from the Councillor of
20		of the Fuel Bureau
21	1941 Nov 15	Appointed Government Commissioner
22		on matters related to the Naval
23		Ministry in the 77th Session of
24		the Diet and on
25		

1	1941 Dec 15	Appointed Government Commissioner on
2		matters related to the Navy Ministry
3		in the 78th Session of the Diet
4	1941 Dec 25	Appointed Government Commissioner on
5		matters related to the Navy Ministry
6		in the 79th Session of the Diet
7	1941 Dec 26	Appointed Councillor in the Bureau
8		of General Affairs, the Agriculture
9		and Forestry Ministry
10	1941 Dec 29	Appointed member of the Committee
11		Managing Enemy Property
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1	1942 Feb 21	Appointed secretary of the Great
2		East Asia Construction Council.
3	1941 Dec 9	Appointed Chief of the Department of
4		Southern Administrative Affairs.
5	1942 Mar 17	Appointed member of the Organizing
6		Committee of the Southern Develop-
7		ment Company.
8	1942 Apr 2	Released from the duties as member
9		of the Organizing Committee of the
10		Southern Development Company.
11	1942 May 26	Appointed Government Commissioner on
12		matters related to the Navy Ministry
13		in the 80th Session of the Diet.
14	1942 Nov 1	Appointed member of the Connecting
15		Committee of the Great East Asia
16		Ministry.
17		Appointed as Vice Admiral.
18	1942 Nov 21	Appointed as the member of the Connect-
19		ing Committee of the Home Ministry.
20	1942 Dec 22	Appointed as member of the Committee
21		training essential personnel for the
22		Great East Asia.
23	1942 Dec 24	Appointed as Government Commissioner
24		on matters related to the Navy Ministry
25		in the 81st Session of the Diet.

1	1943 Jun 15	Appointed as Government Commissioner
2		on matters related to the Navy
3		Ministry in the 82nd Session of the
4		Diet.
5	1943 Aug 4	Appointed as Councillor of the Race
6		Research Institute.
7	1943 Sep 6	Appointed as Investigator in the
8		Cabinet Planning Board as an addi-
9		tional post.
10		Appointed as officer attached to the
11		Secretariat's General Affairs Chamber,
12		attached to the President of the
13		Cabinet Planning Board.
14	1943 Dec 22	Appointed as Councillor in the Bureau
15		of General Affairs, the Agriculture
16		and Commerce Ministry.
17	1943 Dec 24	Appointed as government commissioner
18		on matters related to the Navy
19		Ministry in the 84th Session of the
20		Diet.
21	1943 Dec 29	Appointed as War Supplies Officer
22		in the War Supplies Ministry as an
23		additional post.
24	1944 Jan 25	Appointed as member of the committee
25		managing enemy property.

1 1944 Jan 27 Appointed as member of the Religious
2 Culture Policy Committee.

3 1944 Jan 28 Appointed as member of the Price
4 Council. This Council was abolished
5 according to the Imperial Ordinance
6 No. 114 dated 10 March 1944.

7 From exhibit No. 102, on July 18, 1944,
8 he was appointed Vice Minister of the Navy, and on
9 August 5, 1944, was relieved of this post.

10 THE PRESIDENT: Admitted on the same terms.

11 (Whereupon, prosecution's exhibit
12 No. 120 was received in evidence.)

13 The Tribunal will now recess for fifteen
14 minutes.

15 (Whereupon, at 1045, a recess was
16 taken until 1105, after which the pro-
17 ceedings were resumed as follows:)

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1 THE MARSHAL: The Tribunal is now resumed.

2 THE PRESIDENT: Mr. Horwitz.

3 MR. CUNNINGHAM: May it please the Court,
4 the defendant OSHIMA would like to object at this
5 time to the introduction of Document No. 7501, offered
6 in evidence in this case as exhibit 121, for the fol-
7 lowing reasons:

8 One: That the delivered copy of the exhibit
9 is incomplete, not having a copy of the certificate
10 of authenticity or any other document attached to it
11 which shows its source, its authenticity, or its
12 originality;

13 Two: That the exhibit was served on the
14 American counsel for the defendant less than twenty-
15 four hours before the time when the same was to be
16 offered in Court, unless Sunday, a day recognized by
17 the Christian world as a day of rest, is included in
18 the calculation of time; that the Japanese version of
19 the exhibit was served upon the Japanese counsel for
20 the defendant this morning;

21 Three: That the document is not the best
22 evidence in that it is merely an excerpt from the
23 records of the Personnel Section and on its face
24 shows that it is incomplete and contains only a
25 literal translation of part of the original document

1 upon which it is based; that the defendant objects
2 to this exhibit and makes a demand upon the prose-
3 cution for a true, complete copy of the original
4 Personnel Record of this defendant at this time;

5 Three (a): That the document is not what
6 it purports to be from the apparent foundation laid.

7 Four: That the defendant further objects
8 to the exhibit for the reason that no proper founda-
9 tion has been laid for its acceptance; no showing
10 has been made as to its real source or completeness.
11 Until such showing has been made for the document
12 it should not be admitted in evidence.

13 That the defendant further objects for
14 the reason that the rules of evidence used in this
15 trial under which this document is offered have been
16 made and promulgated by a non-legal member of the
17 military staff of the Allied Nations, and same are
18 not binding upon any court of justice.

19 THE PRESIDENT: Have you anymore --

20 So far you --

21 That is the rules --

22 I want to speak, but I never know when that
23 interpreter finishes. So far I have not heard one
24 ground that is a valid ground. I just wonder how
25 many more such grounds you have there.

1 MR. CUNNINGHAM: Two more grounds: That if
2 the rules of evidence, as set out in this Charter of
3 this Court and under the rules of its procedure,
4 are followed, it is impossible for this defendant to
5 obtain a fair trial as the term is used in the United
6 States where the maximum safeguards are provided for
7 defendants on trial where the death penalty is per-
8 mitted.

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1 Five: That the exhibit was produced under
2 the command of the Supreme Commander of the Allied
3 Powers and his subordinates, and is therefore a con-
4 fession or demanding the defendant through his
5 Government to testify against himself, and there-
6 fore the exhibit is incompetent, is irrelevant and
7 immaterial for the reasons given herein.

8 THE PRESIDENT: Some of these men suggest
9 an attempt to make this trial far more technical
10 than any trial in any national court even in the
11 United States with all the safeguards in the Consti-
12 tution there.

13 We take it the original is authenticated?

14 MR. HORWITZ: The original is authenticated.
15 I stated so at the beginning that each of these docu-
16 ments were authenticated. If the Court desires, I
17 can read one of these statements to the Court.

18 THE PRESIDENT: The objections are over-
19 ruled.

20 MR. HORWITZ: At this time we offer in
21 evidence on behalf of the prosecution exhibit No.
22 121, being the Cabinet Secretariat personnel record
23 of OSHIMA, Hiroshi.

24 We desire to call to the particular atten-
25 tion of the Court the following items from this

1 exhibit:

2 August 1, 1930, appointed Colonel, Artillery.

3 August 1, 1931, appointed Section Chief of
4 the General Staff Headquarters.

5 August 28, 1931, appointed a member of the
6 Military Technical Council.

7 August 1, 1931, in addition appointed
8 Staff Officer of the Naval General Staff.

9 July 8, 1932, appointed a member of the
10 Army Munition Inquiry Committee.

11 October 1, 1933, appointed in addition
12 a member of the Naval General Staff.

13 March 5, 1934, released from his regular
14 and the additional post in the War Ministry and Navy
15 Ministry.

16 March 5, 1934, appointed Resident Attache'
17 to the Imperial Embassy in Germany; in addition ap-
18 pointed Resident Officer in Germany of the Army
19 Technical Research Headquarters; in addition appointed
20 Resident Officer in Germany of the Army Air Head-
21 quarters.

22 April 14, 1934, relieved as a member of
23 the Army Munition Inquiry Committee.

24 April 29, 1934, decorated with the Middle
25 Cordon of the Rising Sun in recognition of meritorious

1 services rendered in the incident from 1931 to
2 1934.

3 March 15, 1935, appointed Major General.

4 March 1, 1938, appointed Lieutenant
5 General.

6 October 8, 1938, appointed Envoy Extra-
7 ordinary and Ambassador Plenipotentiary in Germany.

8 November 2, 1938, decorated with the Order
9 of the Rising Sun with Double Rays in recognition
10 of meritorious services rendered in the conclusion
11 of the Anti-Comintern Pact between Germany and Japan.

12 December 27, 1939, resigned from the
13 regular post.

14 April 29, 1940, decorated with the First
15 Order of Merit with the Grand Cordon of the Rising
16 Sun for meritorious services in the China affair.

17 December 20, 1940, appointed the Envoy
18 Extraordinary and Ambassador Plenipotentiary in
19 Germany.

20 January 23, 1941, appointed as an Imper-
21 ial Delegate to the Japan-German-Italy Special
22 Council held in Berlin.

23 April 12, 1941, appointed in addition the
24 Envoy Extraordinary and Minister Plenipotentiary in
25 Slovakia.

1 November 19, 1945, resigned from his
2 regular post.

3 THE PRESIDENT: Admitted on the same
4 terms.

5 (Whereupon, prosecution's exhibit
6 No. 121 was received in evidence.)

7 MR. HORWITZ: We next offer in evidence
8 on behalf of the prosecution exhibit No. 122, being
9 the Cabinet Secretariat personnel record of SATO,
10 Kenryo.

11 We call particular attention of the Court
12 to the following entries in this document:

13 November 25, 1929, ordered to be stationed
14 in the U.S.A. for study of military affairs.

15 April 29, 1934, promoted to the 4th
16 Order of Merit with the Sacred Treasure in recog-
17 nition of his service between 1931-1934.

18 March 1, 1937, promoted to Lieutenant
19 Colonel in the Artillery.

20 June 24, 1937, appointed as an investigator
21 of the Planning Office.

22 August 3, 1937, commissioned special
23 member of the North China Incident General Mobiliza-
24 tion Business Affairs committee.

25 August 6, 1937, promoted to Lieutenant

1 Colonel in the Air Force; appointed as an investi-
2 gator of the Planning Office; commissioned special
3 member of the North China Incident General Mobiliza-
4 tion Business Affairs committee.

5 September 2, 1937, the name of the North
6 China Incident General Mobilization Business Affairs
7 Committee was changed to the China Affair General
8 Mobilization Business Affairs Committee.

9 August 6, 1937, attached to the Army
10 Ordnance Main Depot and assigned concurrently as a
11 section staff member of the Bureau of Military
12 Affairs of the War Department.

13 October 25, 1937, the post of investigator
14 of the Planning Board was abolished by Imperial
15 Ordinance No. 605.

16 November 26, 1937, appointed secretary or
17 "jimukan" of the Planning Board.

18 July 15, 1938, promoted to Colonel in the
19 Air Force and appointed member of the Cabinet Inform-
20 ation Board Committee.

21 July 15, 1938, appointed concurrently to
22 serve in the Bureau of Military Affairs.

23 July 29, 1938, relieved of the post of
24 secretary of the Planning Board and relieved of the
25 post of special member of the North China Incident

General Mobilization Business Affairs Committee.

December 2, 1938, released from the post of member of the Cabinet Information Board Committee.

April 29, 1940, decorated with the 3d Order of the Golden Kite and the Middle Cordon of the Rising Sun in recognition of service in the China affair.

March 14, 1941, appointed Government commissioner dealing with affairs under the jurisdiction of the War Department in the 76th Diet.

March 15, 1941, appointed secretary of the liaison committee of the Asia Development Board.

March 18, 1941, appointed secretary of the Manchurian Affairs Board; appointed secretary of the Committee for the Assessment of Government Assets Invested in the North China Development Company and the Central China Development Company.

April 2, 1941, appointed secretary of the China Affair Damage Investigation Committee. This was abolished by Imperial Ordinance No. 839, dated September 3, 1941.

June 9, 1941, appointed secretary of the Oversea Colonization Investigation Committee.

October 15, 1941, promoted to Major General.

November 15, 1941, appointed Government

1 commissioner dealing with affairs under the juris-
2 diction of the War Department in the 77th Diet.

3 December 15, 1941, appointed Government
4 commissioner dealing with affairs under the juris-
5 diction of the War Department in the 78th Diet.

6 December 25, 1941, appointed Government
7 commissioner dealing with affairs under the juris-
8 diction of the War Department in the 79th Diet.

9 December 29, 1941, appointed secretary
10 of the Enemy Property Administration Committee.

11 February 21, 1942, appointed as an
12 assistant-secretary of the Greater East Asia Con-
13 struction Council.

14 May 13, 1942, appointed as a Councillor
15 of the Manchurian Affairs Board; appointed as a
16 Councillor of the Planning Board; appointed as
17 secretary of the National Mobilization Council;
18 appointed as secretary of the Greater East Asia
19 Construction council; appointed as a member of the
20 Liaison Committee of the Asia Development Board; he
21 was released from the post of secretary of the
22 Manchurian Affairs Board, from the post of assistant-
23 secretary of the Greater East Asia Construction
24 Council, from the post of secretary of the Liaison
25 Committee of the Asia Development Board, and from

1 the post of secretary of the Committee for Assess-
2 ment of Government Assets Invested in the North
3 China Development Company and the Central China
4 Development Company.

5 May 26, 1942, appointed government com-
6 missioner dealing with affairs under the juris-
7 diction of the War Department in the 84th Diet.

8 June 9, 1942, released from the post of
9 secretary of the Overseas Colonization Investigation
10 Committee.

11 September 16, 1942, appointed as a
12 member of the Enemy Property Administration Committee
13 and released as manager of the Enemy Property Con-
14 trolling Committee.

15 November 1, 1942, appointed a member of
16 the Liaison Committee of the Greater East Asiatic
17 Affairs Department.

18 November 21, 1942, appointed a member of
19 the Liaison Committee of the Home Ministry.

20 December 17, 1942, appointed as Japanese
21 Government representative on the Italo-German-
22 Japanese Mixed Commission of Experts held at Tokyo.

23 December 21, 1942, appointed a member of
24 the Committee for the Training of Essential Men for
25 Greater East Asia.

1 December 24, 1942, appointed government
2 commissioner dealing with affairs under the juris-
3 diction of the War Department in the 81st Diet.

4 January 27, 1943, appointed a Councillor
5 of the Instruction and Education of the Education
6 Department.

7 June 15, 1943, appointed government com-
8 missioner dealing with affairs under the jurisdiction
9 of the War Department in the 82d Diet.

10 August 4, 1943, appointed as a Councillor
11 of the Racial Research Institute.

12 September 6, 1943, appointed concurrently
13 as an investigator of the Planning Board and ordered
14 to be attached to the General Affairs Chamber of the
15 President's Secretariat of the Planning Board.

16 October 25, 1943, appointed as government
17 commissioner dealing with affairs under the juris-
18 diction of the War Department in the 83d Diet.

19 December 24, 1943, appointed as government
20 commissioner dealing with the affairs under the
21 jurisdiction of the War Department in the 84th Diet.

22 December 27, 1943, appointed concurrently
23 as munitions official of the Munitions Ministry.

24 January 27, 1944, appointed as a member of
25 the Religious Enlightenment Policy Committee.

1 January 28, 1944, appointed as a member
2 of the Council on Commodity Prices. This was abolished
3 by Imperial Ordinance No. 114, dated March 10, 1945.

4 June 30, 1944, appointed as a Councillor
5 of the Munitions Ministry.

6 September 6, 1944, appointed as government
7 commissioner dealing with affairs under the juris-
8 diction of the War Department in the 85th Diet.

9 December 15, 1944, appointed as a member of
10 the Preparation Committee for the Establishment of
11 the Greater East Asia Museum.

12 December 27, 1944, released from the
13 above post.

14 January 12, 1945, released from the post
15 of Councillor of the Instruction and Education Bureau
16 of the Education Ministry and from the post of Coun-
17 cillor of the Munitions Ministry.

18 January 23, 1945, appointed as a member of
19 the Religious Enlightenment Policy Committee.

20 January 27, 1945, released from the post
21 of secretary of the National General Mobilization
22 Council.

23 February 8, 1945, released from the post
24 of member of the Enemy Property Administration
25 Committee.

1 March 1, 1945, promoted to Lieutenant
2 General.

3 April 7, 1945, appointed commander of the
4 37th Division.

5 From document exhibit No. 102, I call the
6 attention of the Tribunal to the following fact:
7 that on April 20, 1942, he was appointed Chief of
8 the Military Affairs Bureau of the War Department.

9 THE PRESIDENT: Admitted on the same terms.

10 (Whereupon, prosecution's exhibit
11 No. 122 was received in evidence.)

12 MR. HORWITZ: We next offer in evidence on
13 behalf of the prosecution exhibit No. 123, being the
14 Cabinet Secretariat personnel record of SHIGEMITSU,
15 Mamoru. We call particular attention of the Court
16 to the following items in this exhibit:

17 February 20, 1929, appointed Consul-general;
18 assigned to the service at Shanghai.

19 April 24, 1929, appointed to the additional
20 office of the Councillor of Embassy and assigned to
21 service in China.

22 January 21, 1930, appointed Councillor of
23 Embassy with the additional post of the Consul-
24 general.
25

1 August 30, 1930, appointed member of the
2 Sino-Japanese Communications Negotiations Commission.

3 April 29, 1934, granted with the Second
4 Order of Merit with the Order of the Double Rays of
5 the Rising Sun, in recognition of the services in
6 the 1931-1934 Affairs.

7 January 18, 1935, appointed Councillor of
8 the Board of Manchurian Affairs.

9 June 5, 1935, appointed Councillor of the
10 Investigation Board of the Cabinet.

11 June 11, 1935, appointed Member of the
12 Resources Investigation Council.

13 August 27, 1936, appointed Ambassador Ex-
14 traordinary and Plenipotentiary.

15 August 27, 1936, appointed Ambassador to
16 the Soviet Union.

17 September 9, 1936, ordered to take an
18 official trip to Manchukuo and the Republic of China.

19 September 22, 1938, appointed Ambassador
20 to Great Britain. Relieved of the post of Ambassador
21 to the Soviet Union.

22 April 29, 1940, granted First Order of
23 Merit with the Grand Cordon of the Rising Sun in
24 recognition of his services in the China Affair.
25

1 MR. FURNESS: What date does that appear?

2 MR. HORWITZ: April 29, 1940.

3 December 19, 1941, appointed Ambassador
4 to the Republic of China and relieved of the post of
5 Ambassador to Great Britain.

6 April 23, 1942, ordered to take an official
7 trip to Manchukuo.

8 April 20, 1943, appointed Minister of
9 Foreign Affairs.

10 July 22, 1944, additionally appointed
11 Minister of Greater East Asia.

12 April 7, 1945, relieved of both prin-
13 cipal and additional posts at own request; especi-
14 ally granted the privileges of the former post.

15 August 15, 1945, appointed Member of the
16 House of Peers according to point 4, Article 1 of
17 the House of Peers Ordinance.

18 August 17, 1945, appointed Minister of
19 Foreign Affairs and additionally Minister of Greater
20 East Asia.

21 August 31, 1945, appointed Delegate Pleni-
22 potentiary to the Supreme Commander of the Allied
23 Powers.

24 August 29, 1945, relieved of the post of
25 Member of the House of Peers at his own request.

1 September 17, 1945, relieved of the post
2 at own request.

3 From document exhibit No. 102 I call
4 attention of the Tribunal that on April 20, 1943 and
5 on August 17, 1945, he also became a Member of the
6 Supreme War Council.

7 THE PRESIDENT: Those will be admitted on
8 the usual terms.

9 (Whereupon, prosecution's exhibit
10 No. 123 was received in evidence.)

11 MR. HORWITZ: At this time, we offer in
12 evidence, on behalf of the prosecution, exhibit No.
13 124, being the Cabinet Secretariat personnel record
14 of SHIMADA, Shigetaro. I call attention of the
15 Court to the following entries in this exhibit.

16 November 30, 1929, promoted to Rear
17 Admiral; appointed Chief of Staff of the Second
18 Fleet.

19 December 1, 1930, appointed as Chief of
20 Staff of the First Fleet and additionally as Chief
21 of Staff of the Combined Fleet.

22 February 2, 1932, appointed Chief of Staff
23 of the Third Fleet.

24 June 28, 1932, appointed to the Naval Gen-
25 eral Staff and additionally as a member of the Naval

1 Technical Council.

2 August 25, 1933, specially ordered attached
3 to the Military Inspector.

4 October 1, 1933, appointed as Chief of
5 Class A of the Naval General Staff and additionally
6 as member of Naval Technical Council.

7 April 29, 1934, awarded the Imperial Order
8 of the Double Rays of the Rising Sun for meritorious
9 service in the Incident of 1931-1934.

10 November 15, 1934, promoted to Vice Admiral.

11 December 2, 1935, appointed as Vice Chief of
12 the Naval General Staff.

13 December 4, 1935, appointed as a member of
14 the Reform Council on Instruction and Learning.

15 December 1, 1937, relieved of current duties;
16 appointed commander of the Second Fleet.

17 November 20, 1937, appointed member of the
18 Navy Preparedness Board of the Imperial Headquarters.

19 November 2, 1938, awarded a set of silver cups
20 for meritorious service in connection with Anti-Comint-
21 ern Pact of Japan and Germany.

22 November 15, 1938, relieved of current duties;
23 appointed as Commander of the Kure Naval District.
24
25

1 April 15, 1940, appointed to serve in the
2 Naval General Staff.

3 April 29, 1940, decorated with the Imperial
4 Military Order of the Golden Kite, 2nd Class; decorated
5 with the Grand Cordon of the Rising Sun for meritor-
6 ious service in the China Incident.

7 May 1, 1940, appointed Commander of the
8 China Area Fleet.

9 November 15, 1940, promoted to Admiral.

10 September 1, 1941, relieved of current
11 duties; appointed Commander of the Yokosuka Naval
12 District; additionally appointed a member of the
13 Naval Officers' Council.

14 October 18, 1941, appointed Minister of
15 the Navy.

16 February 19, 1944, appointed as Chief of
17 the Naval General Staff.

18 July 17, 1944, relieved of current duties
19 at his own request; specially granted the privileges
20 of his former post.

21 August 2, 1944, appointed to the Supreme
22 War Council.

23 January 20, 1945, placed on the Reserve
24 Status at his request.
25

1 From exhibit No. 102 we call attention
2 to the fact that on October 18, 1941 he became
3 Vice-President of the China Affairs Board and on
4 February 19, 1944, he became a member of the Supreme
5 War Council.

6 THE PRESIDENT: Admitted on the same terms.

7 (Whereupon, prosecution's exhibit
8 No. 124 was received in evidence.)

9 MR. HERWITZ: We next offer in evidence
10 on behalf of the prosecution exhibit No. 125, being
11 the Cabinet Secretariat personnel record of SHIRATORI,
12 Toshio. We call the particular attention of the
13 Tribunal to the following entries in this exhibit.

14 May 22, 1929, appointed Chief of the Third
15 Section in the Information Department.

16 November 29, 1929, appointed Acting Chief
17 of the Information Department during the absence of
18 SAITO, Hiroshi, Chief of the Information Department.

19 May 26, 1930, relieved as Acting Chief of
20 the Information Department on the return of SAITO,
21 Hiroshi, Chief of the Information Department, Foreign
22 Office.

23 October 31, 1930, appointed Chief of the
24 Information Department in the Foreign Office.
25

1 December 6, 1930, appointed a member of
2 the Investigation Committee of Cultural Enterprises
3 for China.

4 October 31, 1931, awarded a Silver Cup for
5 his meritorious service in the concluding of the Naval
6 Treaty at London.

7 June 2, 1933, appointed as Envoy Extra-
8 ordinary and Minister Plenipotentiary; assigned to
9 duty in Sweden;

10 June 28, 1933, assigned to service in
11 Norway, Denmark and Finland.

12 April 29, 1934, decorated with the 2nd
13 Order of Merit Imperial Order of the Sacred Trea-
14 sure for his meritorious service in the Manchurian
15 Affair.

16 December 16, 1936, relieved of assignment
17 in Finland.

18 April 28, 1937, relieved of assignment in
19 Sweden, Norway and Denmark and assigned to temporary
20 duty in the Foreign Office.

21 September 22, 1938, appointed as Envoy
22 Extraordinary and Ambassador Plenipotentiary and
23 assigned to duty in Italy.

24 April 29, 1940, decorated with the order
25

1 of the Double Rays of the Rising Sun for meritorious
2 service in the China Affair.

3 August 28, 1940, relieved of his official
4 status at his own request; and appointed as diplo-
5 mantic councillor in the Foreign Office.

6 July 22, 1941, relieved as diplomatic
7 councillor in the Foreign Office at his own request.

8 June 30, 1942, appointed a member of the
9 Greater East Asia Promotion Association.

10 THE PRESIDENT: Admitted under the same
11 terms.

12 (Whereupon, prosecution's exhibit
13 No. 125 was received in evidence.)

14 MR. HORWITZ: We next offer in evidence
15 on behalf of the prosecution exhibit No. 126, being
16 the Cabinet Secretariat personnel record of SUZUKI,
17 Teiichi. We call to the particular attention of the
18 Court the following entries contained in this document:

19 January 9, 1931, attached to the Ordnance
20 Central Depot and Bureau of Military Affairs in the
21 War Office.

22 August 19, 1933, additionally attached to
23 the Bureau of Military Affairs.

24 April 29, 1934, decorated with the Middle
25

1 Cordon of the Rising Sun for the services in the
2 Incident from 1931-1934.

3 May 25, 1935, attached to the Ordnance
4 Central Depot and attached to the Bureau of Military
5 Affairs in the War Office.

6 May 25, 1935, held additional office as
7 Investigator in the Bureau of Investigation.

8 November 1, 1937, appointed Major General;
9 attached to the 16th Divisional Headquarters.

10 December 16, 1938, appointed the head of
11 the Section of China Affairs Bureau; ordered to become
12 the Head of the Department of State Affairs in
13 the China Affairs Bureau.

14 December 28, 1938, appointed member of
15 the Intelligence Bureau of the Cabinet.

16 January 19, 1939, appointed as the government
17 delegate to the 74th Imperial Diet.

18 February 21, 1939, appointed to the
19 Liaison Committee of the China Affairs Bureau and
20 Secretary of the Liaison Committee of China Affairs
21 Bureau.

22 May 30, 1939, appointed as the Councillor
23 of Planning Bureau.

24 June 21, 1939, appointed as a member of the
25

1 Opium Committee.

2 August 16, 1939, ordered to act in place
3 of Heisuke YANAGAWA, the Commissioner-General of
4 China Affairs Bureau, while he was absent on an
5 official tour.

6 July 5, 1939, appointed as the secretary
7 of the Committee on China Affairs.

8 February 5, 1940, appointed the Councillor
9 for the Institute of Research on Population.

10 February 2, 1940, appointed as the govern-
11 ment delegate to the 75th Imperial Diet.

12 April 6, 1940, ordered to travel on
13 official business to the Republic of China.

14 April 29, 1940, decorated with the 2nd
15 order of Merit with the Order of the Double Rays
16 of the Rising Sun for meritorious service during
17 the China Incident.

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1 August 1, 1940, appointed Lieutenant
2 General.

3 December 21, 1940, ordered to assume
4 temporary duties as the Commissioner-General of
5 China Affairs Bureau.

6 January 20, 1941, appointed as the
7 government delegate to the 76th Imperial Diet.

8 February 28, 1941, appointed the Coun-
9 cillor of the Total War Investigation Laboratory.

10 Due to the fact that the Army paid a
11 salary to Teiichi SUZUKI while he was in office in
12 active service, the Cabinet should be careful not
13 to pay again in the case of supplying the salary
14 in office.

15 June 19, 1941, became a member of the
16 Committee on Thought Counter Measures.

17 October 8, 1943, appointed member of the
18 House of Peers by No. 4 of Article 1 of the Ordi-
19 nance of the House of Peers.

20 December 4, 1943, appointed as and
21 administrative investigator.

22 October 28, 1944, by Imperial Order No.
23 604 the position of Councillor of the Cabinet was
24 abolished.

25 From exhibit No. 102 I call attention

1 of the Tribunal to the fact that on April 4, 1941,
2 he was appointed State Minister and also Chief Di-
3 rector of the Cabinet Planning Board and was also
4 placed at that time on the Reserve List.

5 THE PRESIDENT: Admitted on the same
6 terms.

7 (Whereupon, prosecution's exhibit
8 No. 126 was received in evidence.)

9 MR. HORWITZ: We next offer in evidence,
10 on behalf of the prosecution, exhibit No. 127,
11 being the Cabinet Secretariat personnel record
12 of TOGO, Shigenori. We call particular attention
13 of the Tribunal to the following entries in this
14 exhibit:

15 July 30, 1930, ordered as a member of the
16 retinue of the Imperial delegates to the 11th
17 General Conference of the League of Nations held
18 at Geneva, Switzerland.

19 December 9, 1931, ordered as a member of
20 the retinue of the plenipotentiary to the general
21 meeting of the War Disarmament Conference in Geneva.

22 February 1, 1933, appointed Chief of the
23 European-American Bureau of the Foreign Office.

24 June 1, 1934, appointed Chief of the
25 European-Asiatic Bureau.

1 February 28, 1935, appointed government
2 representative in the Diet on matters under the
3 jurisdiction of the Foreign Office for the 67th
4 session of the Diet.

5 June 1, 1935, ordered member of the Over-
6 seas Development Committee.

7 April 29, 1934, awarded the 2nd Order
8 of Merit and the Order of the Sacred Treasure for
9 meritorious services during 1931-1934.

10 MR FURNESS: Where does that appear?

11 (Mr. Horwitz indicating)

12 MR. HORWITZ: (continuing) May 6, 1936,
13 appointed government representative in the Diet on
14 matters under the jurisdiction of the Foreign Office
15 for the 69th session of the Diet.

16 December 24, 1936, appointed government
17 representative in the Diet on matters under the
18 jurisdiction of the Foreign Office for the 70th
19 session of the Diet.

20 July 29, 1937, appointed government repre-
21 sentative in the Diet on matters under the juris-
22 diction of the Foreign Office for the 71st session
23 of the Diet.

24 October 27, 1937, appointed as an Envoy
25 Extraordinary and Ambassador Plenipotentiary to

1 Germany.

2 October 15, 1938, appointed Ambassador
3 to the Union of Soviet Socialist Republics and
4 concurrently relieved from post in Germany.
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1 November 2, 1938, awarded the Kyokujitsu
2 Juko medal for meritorious services rendered in the
3 conclusion of the Anti-Comintern Pact.

4 April 29, 1940, awarded the First Order of
5 Merit and the Grand Cordon of the Rising Sun.

6 October 18, 1941, appointed to the dual posts
7 of the Foreign Minister and the Minister of Overseas
8 Affairs.

9 December 2, 1941, relieved from the post as
10 Minister of Overseas Affairs.

11 February 12, 1942, appointed as a member of
12 the Japanese Committee at the Tripartite Joint Tech-
13 nical Conference held at Tokyo.

14 September 1, 1942, relieved from his post on
15 request and was appointed as a member of the House of
16 Peers in accordance with No. 4 of the First Article of
17 the Rules and Regulations of the Peerage.

18 April 9, 1945, appointed Minister of the
19 Foreign Office and the Minister of the Greater East
20 Asia Ministry.

21 August 17, 1945, Relieved from dual posts
22 on request.

23 From exhibit No. 102 I desire to call the
24 attention of the Tribunal that on October 18, 1941
25 he became vice-President of the China Affairs Board

1 and member of the Supreme War Council; and, likewise
2 on April 9, 1945, he became a member of the Supreme
3 War Council.

4 THE PRESIDENT: Admitted on the same term.

5 (Whereupon, prosecution's exhibit
6 No. 127 was received in evidence.)

7 MR. HORWITZ: We next offer in evidence,
8 on behalf of the prosecution, exhibit No. 128, being
9 the Cabinet Secretariat personnel record of TOJO,
10 Hideki.

11 We call the particular attention of the
12 Tribunal to the following entries in this exhibit:

13 August 1, 1931, appointed as Section Chief
14 of the Army General Staff.

15 July 8, 1932, appointed member of the Army
16 Munitions Council.

17 March 18, 1933, promoted to Major General.

18 March 18, 1933, attached to the Army
19 General Staff.

20 April 13, 1933, relieved of the post of
21 member of the Army Munitions Council.

22 March 5, 1934, appointed as Assistant
23 Commandant of the Military Academy and concurrently
24 as head of that Academy.

25 April 29, 1934, decorated with the 2nd Order

1 of Merit with Double Rays of the Rising Sun in recog-
2 nition of his military service in the Manchurian
3 Incident during 1931-1934.

4 August 1, 1934, appointed as Commander of
5 the 24th Infantry Brigade.

6 August 11, 1935, attached to the Headquarters
7 of the 12th Division.

8 September 21, 1935, appointed as Commander
9 of the Kwantung Military Police.

10 September 21, 1935, appointed concurrently
11 as Chief of the Police Affairs Section of the Kwantung
12 Bureau.

13 December 1, 1936, promoted to Lieutenant
14 General.

15 March 1, 1937, relieved of his concurrent
16 post.

17 March 6, 1937, appointed as Japanese Govern-
18 ment Representative on the Japan-Manchukuo Joint
19 Economic Committee.

20 March 1, 1937, relieved of the post of
21 Commander of the Kwantung Military Police, appointed
22 as Chief of Staff of the Kwantung Army.

23 September 1, 1937, appointed as Japanese
24 Government Representative on the Manchurian Colonization
25 Committee.

1 May 30, 1938, relieved of the post of Chief
2 of Staff of the Kwantung Army; appointed as attendant
3 to the War Minister; appointed as Vice War Minister.

4 June 3, 1938, appointed as Chairman of the
5 Army Munitions Council.

6 June 11, 1938, appointed as Japanese Govern-
7 ment Representative on the Japan-Manchukuo Joint Eco-
8 nomic Committee; relieved of the post of Japanese
9 Government Representative on the Manchurian Coloni-
10 zation Committee.

11 June 13, 1938, appointed as member of the
12 Central Air Defense Committee.

13 June 15, 1938, appointed as Councilor of the
14 Planning Board; appointed as Councilor of the Man-
15 churian Affairs Bureau; appointed as member of the
16 Cabinet Board of Information; appointed as member of
17 the Planning Council; appointed as member of the
18 Scientific Council; appointed as member of the
19 Central Price Committee.

20 June 18, 1938, appointed as Chief of the
21 Army Air Headquarters.

22 June 21, 1938, appointed as member of the
23 Ship Control Committee and as temporary member of the
24 Electric Power Committee.

25 June 22, 1938, appointed as member of the
City Planning Central Committee; appointed as member

1 of the Home Industries Promotion Committee; appointed
2 as member of the Motor Cars Manufacturing Enterprise
3 Committee; appointed as member of the Valuation
4 Committee on the Iron Manufacturing Industry and the
5 Council on Disabled Soldiers' Protection Measures.

6 June 21, 1938, commissioned as a member of
7 the Naval Council and as a member of the Air Enterprise
8 Investigation Committee.

9 June 30, 1938, appointed as a member of the
10 National General Mobilization Council.

11 July 13, 1938, appointed as a member of the
12 Educational Council.

13 July 15, 1938, appointed as a member of the
14 Liquified Fuel Committee.

15 November 8, 1938, relieved of his post as
16 member of the Organizing Committee for the North China
17 Development Company and Central China Development
18 Company.

19 December 10, 1938, relieved of his main post
20 at his own request.

21 December 10, 1938, appointed as Inspector-
22 General of the Army Air Forces and relieved of his
23 post of Chairman of the Army Munitions Council.

24 February 24, 1940, appointed as temporary
25 Supreme War Councillor.

1 April 29, 1940, decorated with the 2nd Class
2 Order of the Golden Kite and the Grand Cordon of the
3 Rising Sun in recognition of his services in the China
4 Affair.

5 July 22, 1940, appointed as War Minister
6 and concurrently President of the Manchurian Affairs
7 Board.

8 October 18, 1941, appointed as Premier and
9 concurrently as Home Minister and War Minister;
10 specially placed on the Active List, promoted to full
11 General; and appointed concurrently as President of the
12 Manchurian Affairs Board.

13 February 17, 1942, relieved of the post of
14 Home Minister.

15 September 1, 1942, appointed concurrently
16 as Foreign Minister.

17 September 14, 1942, received and allowed to
18 wear the 1st Grade of the Grand Cordon of the Dragon
19 Ray from the Emperor of Manchukuo.

20 September 17, 1942, relieved from the con-
21 current post of Foreign Minister.

22 November 25, 1942, appointed temporarily to
23 take charge of the affairs of the Home Ministry during
24 Home Minister Michio Yuzawa's absence due to illness.

25 January 6, 1943, automatically relieved of

1 his temporary post of taking charge of the affairs of
2 the Home Ministry because of Home Minister Michio
3 Yuzawa's recovery from illness.

4 April 16, 1943, appointed temporarily to take
5 charge of the affairs of the Greater East Asia Ministry
6 during Minister Kazuo Aoki's absence in order to visit
7 China and the Southern Regions.

8 April 20, 1943, appointed concurrently as
9 Education Minister.

10 April 23, 1943, relieved of the concurrent
11 post of Education Minister.

12 May 3, 1943, ordered to visit the Philippines.

13 May 17, 1943, relieved automatically of
14 taking charge of the affairs of the Greater East Asia
15 Ministry due to Minister Kazuo Aoki's return to Japan.

16 October 8, 1943, appointed concurrently as
17 Commerce and Industry Minister.

18 November 1, 1943, the Commerce and Industry
19 Ministry is abolished by Imperial Ordinance No. 802;
20 appointed concurrently as Munitions Minister.

21 February 21, 1944, appointed as Chief of the
22 Army General Staff.

23 July 22, 1944, relieved of his main post and
24 concurrent post at his own request; specially granted
25 the privileges of his former post and placed on the

1 Reserve List.

2 From exhibit No. 102 I wish to call the
3 attention of the Court to the fact that October 18,
4 1941, he became a member of the Supreme War Council.

5 THE PRESIDENT: Admitted on the same terms.

6 (Whereupon, prosecution's exhibit
7 No. 128, was received in evidence.)

8 The Tribunal will adjourn now until thirty
9 minutes past one.

10 (Whereupon, at 1200 a recess was
11 taken.)

AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Horwitz.

MR. HORWITZ: We next offer in evidence, on behalf of the prosecution, exhibit No. 129, being the Cabinet Secretariat personnel record of UMEZU, Yoshijiro. We desire to call the particular attention of the Court to the following entries contained in this instrument:

1928 Aug 10	Appointed Chief of the Military Affairs Section, Bureau of Military Affairs War Ministry.
1930 Aug 1	Appointed a Major-General.
1931 Aug 1	Appointed Chief of the General Affairs Department of the Army General Staff Office.
1934 Mar 5	Appointed Commander of the Army stationed in China.
1934 Aug 1	Appointed Lieutenant-General.
1934 Apr 29	Decorated with the Order of the Double Rays of the Rising Sun as a reward for

AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Horwitz.

MR. HORWITZ: We next offer in evidence, on behalf of the prosecution, exhibit No. 129, being the Cabinet Secretariat personnel record of UMEZU, Yoshijiro. We desire to call the particular attention of the Court to the following entries contained in this instrument:

1928 Aug 10	Appointed Chief of the Military Affairs Section, Bureau of Military Affairs War Ministry.
1930 Aug 1	Appointed a Major-General.
1931 Aug 1	Appointed Chief of the General Affairs Department of the Army General Staff Office.
1934 May 5	Appointed Commander of the Army stationed in China.
1934 Aug 1	Appointed Lieutenant-General.
1934 Apr 29	Decorated with the Order of the Double Rays of the Rising Sun as a reward for

1		meritorious services during the
2		Incident 1931 to 1934.
3	1936 Mar 23	Relieved of his principal office and
4		appointed Vice Minister of War.
5		Same date, appointed Chairman of the
6		Army Munitions Investigations Council.
7	1936 Apr 8	Appointed a councilor of the Man-
8		churian Affairs Bureau; appointed a
9		member of the National Resources
10		Investigation Council; appointed a
11		member of the North-Eastern Districts
12		Development Investigation Council.
13	1936 Apr 22	Appointed acting Chief of the Army
14		Arsenal.
15	1936 May 2	Appointed Government Commissioner in
16		charge of War Ministry Affairs.
17	1936 May 4	Appointed a member of the Investi-
18		gation Committee for Horse Admin-
19		istration.
20	1936 May 12	Appointed a member of the Council
21		for Educational Reform.
22	1936 Jul 1	Appointed a member of the Information
23		Committee. This was abolished by
24		Imperial Edict. No. 519 issued in
25		1937.

1	1936 Jul 13	Appointed a councilor of the Infor-
2		mation Bureau and a councilor of the
3		Cabinet Investigation Bureau.
4	1936 Jul 30	Appointed a member of the Committee
5		for the Establishment of the Formosan
6		Colonization Company, Limited.
7	1936 Aug 1	Relieved of the post of Acting Pres-
8		ident of the Army Arsenal.
9	1936 Nov 28	Relieved of the post of member of
10		the Committee for the Establishment
11		of the Formosan Colonization Company,
12		Limited.
13	1936 Dec 24	Appointed Government Commissioner
14		in Charge of War Ministry Affairs
15		during the 70th session of the
16		Imperial Diet.
17	1937 May 14	Became Councilor of the Cabinet In-
18		vestigation Bureau. This was abol-
19		ished according to Imperial Ordinance No. 192 issued in 1937.
20		
21	1937 Sept 25	Appointed a member of the Cabinet
22		Information Bureau.
23	1937 Oct 1	Appointed a member of the Shipping
24		Control Committee.
25	1937 Nov 16	Appointed a member of the Central

1		Air Defense Committee.
2	1937 Nov 26	Appointed a councilor in the Planning
3		Board
4	1937 Dec 10	Appointed a member of the Education
5		Research Society.
6	1938 Jan 15	Appointed a member of the Commission
7		for the Protection of Sick Wounded
8		Soldiers.
9	1938 Jul 10	Decorated with the First Order of
10		Merit of the Order of the Sacred
11		Treasure as a reward for meritorious
12		services during the Incident 1931
13		to 1934.
14	1938 Apr 30	Appointed a member of the Establish-
15		ing Committee for the North China
16		Development Company and the Central
17		China Development Company, Limited.
18	1938 May 18	Appointed a member of the Estimating
19		Committee Regarding Government In-
20		vestments in the North China Devel-
21		opment Company and the North China
22		Development Company, Limited.
23	1938 May 30	Relieved of his principal office
24		at his own request. Appointed
25		Commander of the First Army.

1	1938 Jun 3	Relieved of his post of Chairman of
2		the Army Munitions Investigations
3		Council.
4	1938 Jun 15	Decorated with the 4th Court Rank of
5		the Senior Grade.
6	1939 Jul 11	Decorated with the Order of the
7		Grand Cordon of the Rising Sun.
8	1938 Nov 2	Granted a set of silver cups for his
9		service rendered in concluding German-
10		Japanese Anti-Comintern Pact.
11	1939 Sept 7	Appointed Envoy Extraordinary and
12		Ambassador Plenipotentiary and
13		ordered to reside in Manchukuo.
14		Appointed Commander of the Kwantung
15		Army. Relieved of his principal
16		office.
17	1940 Apr 29	Decorated with the 2nd class merit
18		of the Order of the Golden Kite for
19		services in the China Affair.
20	1940 Aug 1	Promoted to General.
21	1940 Aug 8	Decorated with the 3rd court rank
22		of the Junior Grade.
23	1942 Oct 1	Appointed Commander-in-Chief of the
24		Kwantung Army.
25	1944 Jul 18	Relieved of his additional offices

1 and appointed Chief of the Army
2 General Staff.

3 1945 Oct 15 Appointed Supreme War Councilor.

4 THE PRESIDENT: It will be received on the
5 usual terms.

6 (Whereupon, prosecution's exhibit
7 No. 129 was received in evidence.)

8 MR. HORWITZ: At this time, at the request
9 of Major Furness with respect to exhibit 123 -- the
10 personnel record of SHIGEMITSU, Mamoru -- I have the
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1 following additional item to be read into the record;

2 April 10, 1936, suspended from office
3 according to Point 4, Clause I, Article 11 of the
4 Civil Service Limitation Ordinance.

5 If the Tribunal please, in connection with
6 the translation of these personnel records that have
7 just been put in evidence, in preparation with the
8 head of the Language Section in Court to connect
9 them up so the IBM machine could be used, certain
10 typographical mistakes and certain slight omissions
11 were discovered. Those were corrected on the Court's
12 copy and on the copies that have gone to Members of
13 the Tribunal. At the present time a list of such
14 corrections is being prepared and will be given
15 to the defense.

16 In connection with exhibits 103 to 129,
17 inclusive, the prosecution now asks leave to withdraw
18 the originals and substitute therefor photostatic
19 copies. These are written on very fine rice paper
20 which tears easily and are very flimsy. In addition,
21 this is the only record which the Japanese government
22 has, and they would like to have them for their own
23 record so they can continue operations with their
24 department and the Cabinet Secretariat.

25 THE PRESIDENT: We permit you to withdraw

1 the originals and substitute the photostatic copies.

2 MR. HORWITZ: At this time we have concluded
3 the first phase of this case, and the second phase
4 will now be taken over by Mr. Hammack of the
5 prosecution staff.

6 MR. HAMMACK: May it please the Court:
7 Before proceeding to make an opening statement in
8 connection with the next phase which will be pre-
9 sented by the prosecution, I respectfully call the
10 Court's attention to part b of Rule 4 of the Rules
11 of Procedure which provides: "Witnesses, while
12 not giving evidence, shall not be present in court
13 without the permission of the Tribunal."

14 At this time, may it please the Court, the
15 prosecution will have two witnesses in the near future,
16 both of whom are employed here by Japanese news
17 reel companies, one being WAKAYA, Kempei and the
18 other SATAKE, Saburo. At this time, I respectfully
19 request the Court to grant permission to these
20 witnesses to remain in the courtroom without
21 prejudice to the prosecution's use of them as
22 witnesses.

23 THE PRESIDENT: Are they expert witnesses?

24 MR. HAMMACK: Yes, your Honor, they are. And
25 also, they will be used as witnesses as distinguished

1 from experts, too.

2 THE PRESIDENT: In what way are they expert
3 witnesses?

4 MR. HAMMACK: Both of these witnesses, may
5 it please the Court, are moving picture producers
6 with many years experience and will be called to
7 testify in connection with the production of moving
8 pictures in the past, by whom such pictures were
9 ordered produced, the purpose therefor, and, in
10 addition thereto, will testify as experts in con-
11 nection with certain moving pictures made during the
12 past ten years, the orders from whom they were made,
13 and the purposes for which they were made.

14 THE PRESIDENT: They are not experts who
15 will have to hear the evidence of others before they
16 can testify themselves. Well, subject to what my
17 colleagues think, I think they should be excluded
18 until it becomes obvious you cannot continue without
19 them.

20 MR. HAMMACK: May I say this, may it please
21 the Court: Possibly I did not make it sufficiently
22 clear that both of these prospective witnesses are
23 engaged in shooting newsreels while in the courtroom
24 for various movie companies.

25 THE PRESIDENT: That grants them no exemption.

1 This is not a movie show; this is a tribunal.

2 MR. HAMMACK: Then, in order that it may
3 be perfectly clear, may it please the Court, it is
4 the Court's ruling that these witnesses will not be
5 permitted to remain in the courtroom pending their
6 testimony.

7 THE PRESIDENT: That is the Court's clear
8 ruling.

9 MR. HAMMACK: Yes, your Honor.

10 May it please the Tribunal, the prosecution
11 will next in order introduce evidence in support of
12 the allegations set forth in Section 6 of Appendix A
13 of the Indictment.

14 This evidence which relates specifically
15 to the charges as set forth in counts 1 to 17 in-
16 clusive, count 23, counts 25 to 33 inclusive and
17 counts 35 and 36, in Group One of the Indictment,
18 tends also to prove the intent and purposes of the
19 defendants in connection with the charges in the
20 remaining counts of the Indictment.

21 The evidence will tend to prove a criminal
22 conspiracy on the part of the defendants as charged,
23 beginning about the year 1928, and even prior thereto,
24 to prepare the people of Japan for illegal wars of
25 aggression upon peace loving peoples of other nations;

1 and in the execution of this conspiracy to attain
2 such objective, they purposely, systematically, and
3 intelligently used the educational system of Japan,
4 censorship, propaganda, police coercion, political
5 organizations, assassinations and threats, and
6 political devices to obtain control of the govern-
7 ment of Japan itself. To attain their ends they
8 used to the fullest possible extent the agencies of
9 the government, laws, religion, and old established
10 customs.

11 On the question of the use by the defendants
12 of the educational system of Japan it will be
13 established that stress was laid upon military
14 training in the school system following the Japan-
15 ese-Chinese War of 1896, military training being
16 given in the schools by military personnel.

17 That beginning about 1922, pursuant to
18 an organized program sponsored by the military,
19 through the Office of the Minister of War, military
20 training and lectures became more intensified for
21 the purpose of preparing the youth of Japan for
22 aggressive wars of conquest.

23 The prosecution will prove that the
24 desired results were attained by the use of training
25 through military drills, maneuvers and exercises,

1 lectures, teachings and textbooks, all devoted to the
2 principle that the Japanese, as a race, was superior
3 to all other peoples, and that the sacred duty of
4 Japan was to impress this superiority upon all other
5 races. Further, that the destiny of Japan called for
6 wars of conquest; that war was productive; that it
7 was the holy mission of Japan to subordinate first
8 the Greater Far East to Japanese control and leader-
9 ship, and thereafter the world.

10 That in pursuance of this organized plan,
11 beginning about 1922, and thereafter, military control
12 and supervision of the school system became increas-
13 ingly more dominant, such dominance finally becoming
14 absolute; and resulting in the entire school system
15 being forced to subordinate all other studies to those
16 which, by their nature, would tend to inspire a
17 militaristic spirit in the minds of the students.

18 Teachers and other educators were in-
19 doctrinated with this militaristic and ultra-
20 nationalistic philosophy and required to teach in
21 full cooperation with this program. We will prove
22 that in furtherance of this program in the public
23 school system Marquis KIDO, one of the defendants
24 in this case, completely reorganized the educational
25 system in 1937, which reorganization for these

1 purposes, was carried into effect by his successor,
2 General ARAKI, another of the defendants.

3 It will be established that simultaneously
4 with the imposition of such teaching and training
5 technique upon the school system, there was exer-
6 cised strict supervision of teachers and students for
7 the purpose of detecting and speedily punishing the
8 slightest opposition to such program; and that by this
9 method the youth of Japan was regimented for war and
10 was inculcated with a spirit of totalitarianism,
11 aggression, desire for war, cruelty and hatred of
12 potential enemies.

13 On the subject of propaganda as used by
14 these defendants in furtherance of this same criminal
15 conspiracy, the prosecution will prove that beginning
16 about 1925 an organized propaganda program was com-
17 menced, advocating the necessity for expansion by
18 Japan. At first this was done by individual writers
19 and speakers, and later by alleged patriotic societies,
20 newspapers, publications, writings, motion pictures,
21 radio, and other propaganda outlets, all under the
22 dominance and control of the government and all pro-
23 claiming to the people of Japan that it was the
24 destiny of their nation to expand into Manchuria
25 and following Manchuria to the South. We will prove

1 that such propaganda was built upon the platform (1)
2 that such expansion was necessary for the reason
3 that Manchuria was the lifeline of Japan; (2) that
4 in the Russo-Japanese War sacred blood of Japanese
5 soldiers had been shed for this purpose and it was
6 the sacred right and duty of Japan to keep faith with
7 her honored dead; and (3) that such an action was
8 the preliminary step in Japan's great expansion
9 movement throughout the Greater Far East.

1 We will also prove that similar propaganda
2 was used in connection with Japan's war of aggression
3 upon China beginning in 1937, and, later, for the
4 purpose of lashing the people of Japan into war
5 frenzy against the United States and Great Britain.
6 Propaganda was disseminated to the effect that the
7 United States and Great Britain were Japan's great
8 enemy; that the failure to subdue China and subject
9 her to the will of Japan was by reason of the help
10 rendered China by the United States and Great Brit-
11 ain; that the United States and Great Britain were
12 the great stumbling blocks to Japan's aggressive
13 warfare plans for the **domination** of the Greater Far
14 East and later the whole world, and, therefore,
15 must be destroyed.

16 In connection with censorship it will be
17 established that, as used, it was a double edged
18 sword. We will prove that rigid censorship was
19 exercised over the press, publications, writings,
20 radio, motion picture industry, and the entertain-
21 ment **world as a whole**, public meetings, public
22 speeches, and gatherings for the purpose of pre-
23 venting the slightest opposition to the aggressive
24 warfare policy of these defendants, and for the
25 strangling all expressions of individual thought

1 in opposition thereto. At the same time these in-
2 strumentalities were used as outlets for propaganda
3 advocating the policy of aggression.

4 We will further prove, in addition to
5 censorship to control the press and other publica-
6 tions, other methods of control were used. That
7 in the case of newspapers suspected of not being
8 wholeheartedly in sympathy with the aggressive
9 warfare policy of these defendants, such news as
10 was permitted to be released by governmental a-
11 gencies controlled by the defendants, was with-
12 held from papers unsympathetic to the defendants'
13 cause, while, at the same time, it was given to
14 those of a more obedient nature. Since practically
15 all news permitted to be published was released
16 by the defendants or their subordinates, the less
17 favored newspapers were forced out of business.
18 Another method used was one in which the police
19 would call upon key employees of less favored news-
20 papers and publications and advise them to leave
21 their positions, again resulting in the elimination
22 of unfriendly newspapers. Still another method
23 used was one in which, the allocation of paper
24 and other materials needed for the operation of a
25 newspaper or other publications, there was allocated

1 in opposition thereto. At the same time these in-
2 strumentalities were used as outlets for propaganda
3 advocating the policy of aggression.

4 We will further prove, in addition to
5 censorship to control the press and other publica-
6 tions, other methods of control were used. That
7 in the case of newspapers suspected of not being
8 wholeheartedly in sympathy with the aggressive
9 warfare policy of these defendants, such news as
10 was permitted to be released by governmental a-
11 gencies controlled by the defendants, was with-
12 held from papers unsympathetic to the defendants'
13 cause, while, at the same time, it was given to
14 those of a more obedient nature. Since practically
15 all news permitted to be published was released
16 by the defendants or their subordinates, the less
17 favored newspapers were forced out of business.
18 Another method used was one in which the police
19 would call upon key employees of less favored news-
20 papers and publications and advise them to leave
21 their positions, again resulting in the elimination
22 of unfriendly newspapers. Still another method
23 used was one in which, the allocation of paper
24 and other materials needed for the operation of a
25 newspaper or other publications, there was allocated

1 to the recalcitrant groups so little paper and
2 materials that it would be impossible for them
3 to continue to operate.

4 On the subject of police coercion in
5 furtherance of the conspiracy of these defendants
6 it will be established that the police through-
7 out Japan were under the supervision and Con-
8 trol of the Police Bureau of the Ministry of
9 Home Affairs. To the police was assigned the
10 duties of enforcing the laws relating to censor-
11 ship in all its forms, as well as the actual sup-
12 pression of expressions of thoughts, words, or
13 deeds which might be construed by them as being
14 in opposition to the militaristic, ultra-national-
15 istic, and aggressive warfare policy. That while
16 on the one hand the police were used for these
17 suppressive purposes, on the other hand they were
18 also used in a positive direction for the purpose
19 of supervising, encouraging, and regimenting all
20 of the people of Japan toward acceptance of the
21 policy of aggressive warfare. We will prove that
22 in connection with and in furtherance of these
23 policies, police action was swift and imprisonment
24 certain for any person known or suspected to be
25 in opposition to such policy.

1 On the subject of the use by the defen-
2 dants of political organizations to further this
3 conspiracy, we will demonstrate the extent of the
4 power exercised by these defendants over the
5 government of Japan from 1928 to 1945. By using
6 certain laws and customs the defendants were in a
7 position to prevent and did prevent the formation
8 of any Cabinet considered by them to be antagonis-
9 tic to their aims and desires, or to cause the
10 collapse of any Cabinet for the same reason. This
11 was possible by reason of the Imperial Ordinance
12 of 1905, as amended in 1912, which provided that
13 Ministers of War and Navy must be generals or
14 lieutenant generals, admirals or vice admirals,
15 **respectively**, and the Imperial Ordinance of 1936
16 which provided that Ministers of War and Navy must
17 be generals or lieutenant generals, admirals or vice
18 admirals, **respectively**, on the active list; and by
19 the established custom that nominees for the port-
20 folio of Minister of War be selected by the Army
21 Chief of Staff, the Inspector General of Military
22 Education and the retiring War Minister. In addition,
23 the Army Chief of Staff had the right and privilege
24 of direct access to the Emperor, and thereby was able
25 to by-pass the civil government entirely. In this

1 connection we will prove that the TANAKA Cabinet
2 was forced to resign in 1929 for the reason this
3 Cabinet was powerless to control the War Minister
4 and military, in connection with punishment of per-
5 sons responsible for the incident in which Chang
6 Tso Lin was killed by the blowing up of a railroad
7 bridge under a train in which he was then riding.
8 We will further prove that the Cabinet of Baron
9 WAKATSUKI, Premier of Japan from April 1931 to
10 December 1931, was forced to resign by reason of
11 Cabinet opposition to the Manchurian Incident, this
12 resignation being forced by the actions of the De-
13 fendant MINAMI, who was then War Minister.

1 We will prove that General UGAKI was or-
2 dered by the Emperor in 1937 to form a Cabinet and
3 attempted to do so. That under the laws heretofore
4 mentioned, then existing, it was necessary that the
5 Minister of War be a general or lieutenant general
6 in active service. That despite the fact that he had
7 been a general in the Army, the military was opposed
8 to him for the reason that in 1924 as a lieutenant
9 general in the Japanese Army and War Minister, he had
10 ordered and carried out a reduction of the size of
11 the Japanese Army, and the expense incident thereto.
12 For this reason he was unable to form a Cabinet pur-
13 suant to the command of the Emperor as all of the
14 persons of sufficient rank to fill the post, when
15 offered the appointment of War Minister, refused to
16 accept it. It thus became necessary to advise the
17 Emperor he was unable, for these reasons, to carry
18 out the Imperial Mandate to form a Cabinet.

19 We will further prove that in 1937 the
20 Cabinet, of which Mitsusama YONAI was Premier, was
21 forced to resign when his Cabinet collapsed because
22 his War Minister, General HATA, presently a defen-
23 dant in this trial, resigned over the refusal of the
24 YONAI Cabinet to conclude a **Tripartite Pact** with the
25

1 Axis Powers; that upon the resignation of General
2 HATA, Admiral YONAI was advised by his retiring War
3 Minister that he, General HATA, following his resig-
4 nation, had conferred with the Inspector General of
5 Military Education and the Army Chief of Staff, and
6 as a result of this conversation concluded, "It is
7 my opinion that you will not find another general
8 willing to accept the portfolio of War Minister today."
9 Premier YONAI, knowing he would not find such a gen-
10 eral as long as his Cabinet remained in power, there-
11 fore, resigned.

12 We will prove the fall of the Third KONOYE
13 Cabinet in October 1941 was caused by the refusal of
14 the then Minister of War, Hideki TOJO, presently a
15 Defendant in this case, to accede to the wishes of
16 the KONOYE Cabinet, that in order to better Japanese-
17 American relations, Japanese troops be withdrawn from
18 China.

19 On the subject of assassinations and threats
20 it will be proved that, in addition to the powers ex-
21 ercised by these defendants in the government, in
22 furtherance of this conspiracy, they resorted to the
23 coercive and terroristic use of assassinations and
24 threats in collaboration with certain ultra-nation-
25 listic individuals and societies. In this connection

1 we will prove that for approving and recommending
2 reductions in the Army and Navy budgets and pushing
3 through the ratification of the London Naval Treaty,
4 in opposition to the desires of the ultra-nationalistic
5 and military policy of the defendants, Premier
6 HAMAGUCHI was shot in Tokyo Railway Station in 1930,
7 dying the next year in consequence of his wounds.

8 That in March and October 1931, military
9 extremists, particularly the defendants Colonel
10 Kingero HASHIMOTO and General Kuniaki KOISO, in
11 conjunction with ultra-nationalistic civilian and
12 political leaders, particularly Dr. Shumei OKAWA,
13 also a defendant in this case, staged a revolution-
14 ary coup for the purpose of putting into power an
15 expansionistic and aggressive warfare minded govern-
16 ment.

17 That for the same purpose there followed
18 in February 1932, the assassination of Finance Minis-
19 ter INOUE, in March 1932 the assassination of Baron
20 Dan, in May 1932 the assassination of Premier INUKAI,
21 and in February 1936 the assassination of the Lord
22 Keeper of the Privy Seal SAITO and others, and the
23 attempted assassination of Premier OKADA, which
24 failed only because of mistaken identity.
25

1 And as a further step in the preparation
2 and regimentation of the Japanese for war we will
3 prove that in 1940 these defendants caused the dis-
4 solution of all political parties in Japan by con-
5 solidating and merging all of such political parties
6 into one militaristic and ultra-nationalistic party
7 called the Imperial Rule Assistance Association and
8 by this action concluded final preparations for un-
9 provoked, unjustified, inhuman, illegal warfare upon
10 the Allied Nations.
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1 DONALD ROSS NUGENT, Lieutenant
2 Colonel, called as a witness on behalf of the
3 prosecution, being first duly sworn, testified
4 as follows:

DIRECT EXAMINATION

BY MR. HAMMACK:

Q What is your name, please?

A Donald Ross Nugent.

Q What is your occupation and profession?

9 A Lieutenant Colonel, U. S. Marine Corps;
10 Chief, Civil Information and Education Section,
11 General Headquarters, Supreme Commander for the
12 Allied Powers.
13

14 Q How long have you been an officer in the
15 Marine Corps, Colonel?

A Five years.

17 Q In what branch of the Marine Corps have
18 you served?

A Military Intelligence.

20 Q Colonel, what is your occupation or pro-
21 fession in civilian life?

A Educator.

23 Q Have you any degrees in connection with your
24 profession as educator?

A I have.

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1 Q What are they?

2 A Bachelor of Arts, Stanford University; Master
3 of Arts, Stanford University.

4 Q Have you done any studying in connection with
5 your profession as an educator upon your Doctor's
6 degree?

7 A I have.

8 Q Have you had any experience as an educator or
9 teacher?

10 A I have.

11 Q And what does this experience consist of?

12 A Seven years in the public schools of Cali-
13 fornia; five years as an instructor, Menlo Junior
14 College, California; four years in Japanese education-
15 al institutions; as a lecturer in the Wakayama College
16 of Commerce; as a part-time lecturer in the Osaka
17 University of Commerce; and a part-time instructor in
18 the Wakayama Commercial School.

19 Q You testified that you had experience teach-
20 ing in Japan. What years were you teaching in Japan?

21 A From March, 1937 until March, 1941.

22 Q What subjects were you teaching during these
23 years in Japan?

24 A English and commercial subjects.

25 Q In the colleges in Japan in which you were

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1 teaching, what were the major subjects taught?

2 A Chiefly commercial subjects, accounting, eco-
3 nomic geography, bookkeeping, foreign languages, etc.

4 Q They were commercial colleges, were they not
5 Colonel?

6 A One was a commercial college; one was a com-
7 mercial university; one was a commercial school of
8 middle school rank.

9 Q During the years, Colonel, in which you were
10 teaching in these colleges in Japan which you have
11 mentioned, will you state whether or not there was
12 any military training or lectures as part of the
13 curriculum of these particular colleges? 2

14 A There was.

15 Q And what did this particular training, or
16 lectures consist of?

17 A This training consisted of close order drill,
18 conditioning marches, maneuvers over open terrain,
19 nomenclature, the handling of weapons up to and in-
20 cluding the light machine gun, and military lectures.

21 MR. SMITH: If your Honor please, I desire
22 to enter an objection on behalf of Mr. HIROTA.

23 Mr. HIROTA resigned as Prime Minister in 1937
24 and held no public office after that. I suggest that
25 this testimony is incompetent as to him.

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1 MR. HAMMACK: Does the Court wish to hear from
2 the prosecution on this objection?

3 I might say this, your Honor: This testimony
4 is being offered against all the defendants, subject
5 to being connected up at the proper time.

6 THE PRESIDENT: It is admitted on the basis
7 that it will be connected up later by the prosecution.
8 If not, of course we shall have to reject it. For the
9 time being, it is admitted for its probative value,
10 and on that understanding.

11 Q Now, Colonel, will you state, if you know,
12 what the period of time per week was that was devoted
13 to military training and teaching in the Wakayama
14 College of Commerce?

15 A From one and a half to five hours per week
16 were devoted to military training in its different
17 phases. Additional time was used for maneuvers,
18 conditioning marches, inspections, and so forth.

19 Q By whom were the military subjects taught
20 in the Wakayama College of Commerce?

21 A By officers of the Japanese Army.

22 Q Now, in addition to teaching at the Waka-
23 yama College of Commerce, Colonel, did you ever
24 teach at any other institution or school in Japan?

25 A I did, at the Osaka University of Commerce

and at the Wakayama Commercial School.

1 Q Was there military training and drill at
2 these schools, Colonel?

3 A There was.

4 Q And was such military drill and training at
5 these schools similar, and would it take about the
6 same amount of time as that you just testified to --
7 that is, Wakayama College?

8 A Generally the same, but the hours devoted to
9 such training in the Wakayama Commercial School were
10 greater in number than they were in the Wakayama
11 College of Commerce.

12 Q What rank, Colonel, usually were the officers
13 who taught these military subjects in the schools at
14 which you were teaching?

15 A Usually the infantry.

16 Q And usually of what rank?

17 A The ranks of the officers varied. At the
18 Wakayama Commercial College the senior officer was
19 usually a lieutenant colonel.

20 Q Do you know, Colonel, whether the army
21 officers assigned to the colleges at which you were
22 teaching were part of the faculty?

23 A They were.

24 Q You mentioned, Colonel, that you were teaching
25

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1 in Japan from 1937 to 1941. During this period of time,
2 was there any perceptible increase in the school time
3 that was allotted to the teaching of military subjects?

4 A There was a perceptible increase in the time
5 devoted to the conditioning marches, maneuvers, and
6 so forth.

7 Q Do you know, Colonel, what the field exer-
8 cises and maneuvers consisted of?

9 A Of my own observation, I saw maneuvers over
10 open terrain, problems in street fighting, the handling
11 of weapons, including bayonet drill and firing of
12 weapons up to and including Nambu light machine gun.

13 Q Colonel, did this condition of military
14 training and the time devoted to the same exist in
15 all the schools in Japan, to your knowledge?

16 A In all schools of middle grade rank and
17 and above for boys.

18 Q How much time, Colonel, would you say was
19 devoted to the teaching of military subjects in the
20 Japanese schools in the early part of 1941?

21 A Including direct training, plus the subjects
22 which were slanted toward military training, I would
23 say that from thirty to forty per cent of the total
24 time was devoted to some form of military training
25 or lecture.

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1 Q Now, Colonel, you testified that you are
2 Chief of the Civil Information and Education Section
3 of SCAP ?

4 A That is true.

5 Q Will you state what your duties are in
6 connection with this position?

7 A To advise the Supreme Commander on matters
8 pertaining to Japanese education, on matters per-
9 taining to religion, on matters pertaining to the
10 protection and preservation of Japanese arts and
11 monuments, and on all matters concerning media of
12 information to the Japanese people.

13 Q Now, Colonel, in order to properly prepare
14 yourself to advise the Supreme Commander in connection
15 with matters relating to the education of Japan, did
16 you make a study, or cause a study to be made, of the
17 educational system of Japan and the effect thereof upon
18 the minds of the Japanese students?

19 MR. SMITH: If your Honor please, I suggest
20 that question calls for conclusion from the witness
21 and is incompetent.

22 THE PRESIDENT: I understand him to be
23 testifying as an expert, and an expert can give his
24 conclusions.

25 CAPTAIN BROOKS: If your Honor please, I

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1 do not believe proper foundation has been laid to qualify
2 this man as an expert on what has been happening in Japan
3 in the past period set out in this particular. He may
4 have taught in three or four schools in Japan, and he
5 may have read numerous conclusions of other people who
6 have been here on something that may have happened.
7 But I still do not believe that for the Tribunal to
8 accept the testimony of this man would be any more
9 proper than for a Japanese teacher in one of our
10 schools to pass upon the policies of the educational
11 system of the United States.

12 THE PRESIDENT: The objection goes to weight
13 and not to admissibility.

14 MR. HAMMACK: May I ask that the last question
15 be read back. I believe the question to the witness was
16 never answered.

17 (Whereupon, the last question was
18 read by the official court reporter, as follows:)

19 "Q Now, Colonel, in order to properly prepare
20 yourself to advise the Supreme Commander in connection
21 with matters relating to the education of Japan, did
22 you make a study, or cause a study to be made, of the
23 educational system of Japan and the effect thereof
24 upon the minds of the Japanese students?"
25

THE PRESIDENT: The objection is overruled.

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1 Q Now Colonel, in order to properly prepare
2 yourself to advise the Supreme Commander relating
3 to the education of Japan, did you make a study
4 or cause a study to be made of the educational
5 system of Japan and the effect it would have upon
6 the minds of the Japanese students?

7 A I did.

8 Q And what did the study consist of?

9 A Of an examination of elementary, middle
10 school and higher school textbooks; of an examin-
11 ation of teachers manuals, teachers guides, and
12 other instructional material; of an examination of
13 laws pertaining to education, of directives, and
14 orders of the ministry of education, and such other
15 ministries as were concerned with education; of
16 interview s with hundreds of Japanese educators,
17 students, and graduates, covering the period from
18 1925 until the conclusion of the war.

19 Q In connection with these studies, Colonel,
20 was a study made as to military training, lectures,
21 instruction and teachings in the school, and the
22 effect of the teachings on the students of the
23 Japanese school?

24 THE WITNESS: Will you repeat the first part
25 of that question, please?

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1 (Whereupon, the last question was
2 read by the official court reporter.)

3 A Such a study was made.

4 Q In connection with your studies on this
5 subject, Colonel, will you state what it established
6 in connection with the students in the Japanese
7 schools?

8 MR. LOGAN: If it please the Tribunal,
9 I object to the answer being given to this question
10 on the ground, first, that the witness has admitted
11 that he made this study, and the facts upon which he
12 based the study are not before this Court; secondly,
13 a proper foundation has not been laid to have him
14 testify as an expert in this case.

15 THE PRESIDENT: Those matters are not
16 proper grounds of objection. You will be able to
17 cross-examine.

18 MR. HAMMACK: May the question be read,
19 Mr. Reporter?

20 (Whereupon, the last question was
21 read by the official court reporter.)

22 MR. HAMMACK: Do you understand the question,
23 Mr. Witness?

24 THE WITNESS: I do not.

25 Q You testified, Colonel, that the study was

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1 made by yourself as to the military training, lectures,
2 instruction, and teachings that were given in the
3 schools of Japan. That is correct, is it not?

4 A Such studies were made under my direction.

5 Q Now, will you state, Colonel, from your ex-
6 perience as an educator and teacher, plus your experience
7 teaching from March 1937 to March 1941 in Japan, and
8 your knowledge acquired during these years from the
9 Japanese school system together with your studies made
10 in connection with the subjects, particularly of a
11 military nature taught in the Japanese school system,
12 what in your opinion was the effect of such teachings
13 upon the students of Japan?

14 MR. WARREN: If the Court please, it appears
15 that counsel has propounded a hypothetical question
16 based upon no testimony before the Tribunal. We submit
17 to the Tribunal that in order for such a question to
18 be proper there should be facts before the Court; and,
19 if the Court or the Tribunal will permit me, I should
20 like to ask this witness a qualifying question.

21 THE PRESIDENT: The Court will not allow you
22 to question this witness at this stage. I have
23 already reminded you, you will have the opportunity
24 to cross-examine.

25 CAPTAIN KLEIMAN: May it please the Tribunal,

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1 on behalf of the defendant HIRANUMA, I object to an
2 answer being given to this question on the ground that
3 it calls for an expression of someone else's mind and
4 is not on the ground of an expert witness to testify
5 with respect to somebody else's mind.

6 THE PRESIDENT: The scope of expert testimony
7 is not so limited, in my experience. Both objections
8 are overruled.

9 MR. HAMMACK: Will you answer the question,
10 Colonel, please?

11 May the question be read to the witness,
12 Mr. Reporter, please? I will reframe the question
13 if there is any difficulty.

14 Q Will you explain, Colonel, from your experience
15 as an educator and teacher, from your experience teach-
16 ing from March 1937 to March 1941 in Japan, and your
17 knowledge acquired during these years in the Japanese
18 school system, together with your studies made in con-
19 nection with the subject, particularly of a military
20 nature taught in the Japanese school system, what in
21 your opinion was the effect of such teachings upon
22 the students of Japan?

23 A In my opinion, such teachings would have the
24 effect of inculcating ultra-nationalism, aggressive
25 militarism, a fanatical devotion to their country, a

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1 blind obedience to authority, and a belief in Japan's
2 mission to become dominant in the so-called "East
3 Asia Co-Prosperity Sphere."

4 Q Would you say, Colonel, that such teachings
5 would have the effect of impressing upon the minds of
6 Japanese students that the Japanese as a race were
7 superior to all other persons?

8 MR. LOGAN: I object to that.

9 THE PRESIDENT: The Court will now recess
10 for ten minutes.

11 (Whereupon, at 1445, a recess was taken
12 until 1500, after which the proceedings were
13 resumed as follows, interpretation from Japanese
14 to English and from English to Japanese being
15 made by OKA, Takashi and TSUCHIYA, Jun, Akira
16 Itami acting as Monitor:)

17 THE MARSHAL: The Tribunal is now resumed.

18 THE PRESIDENT: Mr. Hammack.

19 MR. HAMMACK: May the last question be read,
20 Mr. Reporter, please?

21 (Whereupon, the last question was read
22 by the official court reporter.)

23 MR. LOGAN: If it please the Tribunal, the
24 witness has been asked his opinion, and he has stated
25 it. The Counsel is now endeavoring to put words in the

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1 witness's mouth by framing a question which is preju-
2 dicial and highly leading.

3 THE PRESIDENT: The question certainly is in
4 a leading form. Counsel should not suggest what the
5 effect was, but ask what it was.

6 Q Colonel Nugent, you testified previously
7 what in your opinion was the effect of such teachings
8 upon the students of Japan. Will you state now
9 whether or not, in your opinion, such teachings
10 would have any further effect than heretofore stated?

11 MR. LOGAN: May it please the Tribunal, I
12 object to that question on the ground that the previous
13 question asked has suggested the answer to this witness.

14 THE PRESIDENT: Unfortunately, you may be right,
15 but the last question was in form. I would ask counsel
16 to avoid putting leading questions, even to an expert.

17 MR. HAMMACK: Thank you. Will you answer the
18 question, Mr. witness?

19 THE WITNESS: May I have the question read?

20 MR. HAMMACK: Will you read the question,
21 Mr. Reporter?

22 (Whereupon, the last question was read
23 by the official court reporter.)

24 A Such teachings might have additional effects
25 and, in my opinion, would have the effect stated in the

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1 question by counsel.

2 Q What, in your opinion, Colonel, was the
3 result, upon the students of Japan, of such teachings
4 and such military training -- drill lectures and
5 field maneuvers -- as was given to the students?

6 MR. LOGAN: I object to that, if the Tribunal
7 please, on the ground that it is repetitious and has been
8 previously answered.

9 THE PRESIDENT: The objection is overruled.
10 Unfortunately, counsel often repeat themselves, but
11 they should not in an examination in chief where
12 they are supposed to be speaking from the proof.
13 It may be that the proof of this witness's evidence
14 should be revised.

15 THE WITNESS: May I have the question, re-
16 read?

17 (Whereupon, the last question was read
18 by the official court reporter.)

19 A The result, in my opinion, was that such
20 teachings did, in fact, impress upon the students of
21 Japan a belief in the so-called divine mission of the
22 Japanese Empire, a belief in the superiority of
23 Japanese culture over the cultures of other countries,
24 belief in the necessity of military aggression, if
25 necessary to accomplish Japan's so-called divine

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1 mission of leadership of Greater East Asia, and, if
2 necessary, what was called "all the world under one
3 roof."

4 THE PRESIDENT: I suggest to you, Mr. Hammack,
5 very seriously, that for our purposes it may be quite
6 sufficient to show what Japanese children were taught
7 and what was the effect of the teaching. What is the
8 point of asking what would have been the effect?

9 Q Would you state, Colonel, what the Japanese
10 students were taught and what the effect of such
11 teachings were?

12 CAPTAIN KLEIMAN: May it please your Honor,
13 I object to that question unless the witness is further
14 qualified by asking him as to how many students he
15 spoke to with respect to the effect of these alleged
16 teachings upon them?

17 MR. LOGAN: I object --

18 THE PRESIDENT: One objection at a time, please.

19 It was asked for the witness to state on what
20 he bases his claim to the effect; whether it was the
21 result of speaking to one child or one thousand
22 children, or whether he noticed it in demonstrations.
23 The objection is based upon the wholly erroneous assump-
24 tion that only from what the child told you could you tell
25 the effect. That objection is overruled.

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1 MR. LOGAN: If the Tribunal please, I object
2 to that question on the ground that it does not state
3 sufficient facts upon which this witness can form an
4 opinion and I also object to the form of it.

5 THE PRESIDENT: The correct way to test his
6 knowledge is by cross-examination. He has laid a
7 foundation to speak as an expert. The objection is
8 overruled.

9 Q Will you answer the question, Colonel,
10 please?

11 A May I ask what the question was, please?

12 MR. HAMMACK: Will the question be read,
13 Mr. Reporter?

14 (Whereupon, the last question was read
15 by the official court reporter as follows:)

16 "Q What, in your opinion, Colonel, was the
17 result, upon the students of Japan, of such teachings
18 and such military training -- drill lectures and
19 field maneuvers -- as was given to the students?"

20 Q Do you understand the question, Colonel?

21 A I am not entirely clear as to the question.
22 What the Japanese students were taught -- do you mean
23 a recitation of the curriculum?

24 Q The substance generally and the effect
25 thereof, Colonel?

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1 A The subjects generally taught in the ele-
2 mentary schools and in the middle schools were those
3 which are generally taught in any school system with
4 the addition of such subjects or the particular type
5 of textbook and teaching in such subjects as morals
6 or "shushin," history and geography which were, upon
7 study, found to be so vicious that they were by
8 directive of the Supreme Commander eliminated from
9 the Japanese curriculum.

10 MR. SMITH: If the Court please, I move to
11 strike out that part of the witness' answer in which
12 he refers to "vicious practice" and as to what the
13 Supreme Commander did about it. It is no part of
14 this witness' testimony, it seems to me.

15 MR. HAMMACK: I submit that what he testified
16 he submitted to the Supreme Commander may go out, may
17 it please the Court.

18 THE PRESIDENT: Frankly, I do not see what
19 relevance it has.

20 MR. HAMMACK: Yes, your Honor.

21 THE PRESIDENT: What was taught the Japanese
22 children during the war and what came about as a
23 result is relevant. The objection is allowed.

24 Q Colonel, a study was made in connection with
25 the Japanese school system and the effect thereof on

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1 the students for the years 1925 up to 1941, was it
2 not?

3 A The studies include those dates and also
4 for 1941 to August of 1945.

5 Q And your answer in regard to the effect of
6 such teachings was based upon the studies made of the
7 school system from 1925 on; is that correct, Colonel?

8 A That is right.

9 Q Colonel, you have stated the subjects that
10 were taught. Now, in addition to those subjects you
11 have just stated were taught and also the military
12 subjects that were taught, will you state what was the
13 effect of such teachings upon the students of Japan?

14 A In my opinion the effect of such teachings
15 upon the students of Japan -- the effects of such
16 teaching upon the students of Japan were such as
17 were described in the answer to a previous question.
18 These effects were determined not only by interview
19 with teachers and students but from my own standpoint
20 by interviews with a large number of prisoners of war
21 in various campaigns in the Pacific area.

22 MR. LOGAN: If it please the Tribunal, I move
23 to strike out that part of the answer from the words
24 beginning, "they were determined," as it is no part
25 of a proper answer to the question as it is not

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1 responsive.

2 THE PRESIDENT: I would like the answer
3 read.

4 (Whereupon the last answer
5 was read by the official court reporter.)

6 Well, that involves hearsay -- what he
7 heard from prisoners of war who were not Japanese,
8 I take it.

9 MR. HAMMACK: They were Japanese, your
10 Honor.

11 Q Those prisoners of war whom you mentioned,
12 Colonel, were Japanese, were they not

13 A They were.

14 THE PRESIDENT: I think the answer is
15 admissible. I am not suggesting that hearsay is not
16 admissible but in some circumstances it may have much
17 less weight.

18 MR. OKAMOTO: As counsel for the defendant
19 MINAMI, I would like to be allowed to state an objec-
20 tion. In the previous testimony -- the previous
21 interpretation of the witness' answer to the prosecu-
22 tion's question -- the witness' words, "all the world
23 under one roof," were translated in Japanese as
24 "hakko ichiu." If this translation is allowed to
25 stand it will have a grave effect on the future

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1 progress of these trials, and I move that this be
2 stricken from the record.

3 THE PRESIDENT: We must rely upon our
4 translation section to rectify all these mistakes
5 if they are being made.

6 LANGUAGE ARBITER: Mr. President, that is a
7 regularly accepted translation of those words.

8 MR. OKAMOTO: I reserve my objection.

9 MR. HOZUMI: If the Court permits, I
10 should like to have a very short cross-examination;
11 may I?

12 THE PRESIDENT: Not at this stage.

13 MR. HAMMACK: The defense may cross-examine,
14 if it please the Court.

15 THE PRESIDENT: Oh, you have finished.

16 MR. LOGAN: If the Tribunal please, I now
17 move to strike out all of the testimony of this
18 witness on the ground that proper foundation for his
19 testimony has not been laid and he has proved by his
20 own words that he is not an expert on reading the
21 mind of another person as he has had no medical prac-
22 tice whatsoever.

23 THE PRESIDENT: The objection is overruled.
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CROSS-EXAMINATION

1
2 BY MR. HOZUMI:

3 Q I wish to ask the witness, do you speak
4 Japanese?

5 A Not fluently.

6 Q And you read Japanese?

7 A Not fluently.

8 Q The witness stated that the effect of
9 military training in Japanese schools was to impress
10 upon the students a belief in aggression, in ultra-
11 nationalism, a blind belief in force in the so-called
12 Greater East Asia; but is that correct?

13 A In my opinion that is correct.

14 Q What are the grounds of your opinion?

15 A From interviews with students, with teachers,
16 both before and since the war, teachers who are both
17 Japanese and foreign in nationality, and interviews,
18 as I stated, with prisoners of war.

19 Q What was the number approximately of these
20 people whom you interviewed?

21 A Does counsel mean including prisoners of war?

22 Q If the prisoners of war were students, you
23 may include them.

24 A Including prisoners of war who were either
25 students or graduates, and including students who

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1 have been interviewed before the war and since the
2 war, I would say that it would run to at least three
3 hundred to three hundred fifty.

4 Q On those occasions did you talk to them
5 through an interpreter?

6 A With those who could not speak English, I
7 ordinarily used an interpreter.

8 Q I believe that the number of students whom
9 you interviewed using interpreters was far greater
10 than those whom you interviewed without; but is that
11 so?

12 A I would say they were about evenly divided
13 as to number.

14 Q The number of students -- Japanese students --
15 who received military training runs into hundreds of
16 thousands. Do you not believe that to have inter-
17 viewed only three hundred to four hundred of those
18 is not sufficient to form an opinion?

19 A In judging opinion, when the respondents
20 are one hundred percent of the same opinion, it is
21 apparent that the sample is a good one.

22 THE PRESIDENT: Just a second, will the
23 witness speak closer to the microphone? One of my
24 colleagues is having the greatest difficulty in
25 hearing what you are saying.

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1 Q Then you formed your judgment in accordance
2 with the majority opinion of these three hundred and
3 fifty; is that correct?

4 A I formed my opinion on what was practically
5 the universal statement of these three hundred fifty.

6 Q Then I understand that your opinion is based
7 on the opinion of one hundred percent of these three
8 hundred fifty; is that correct?

9 A So far as my opinion is supported by inter-
10 view, yes.

11 Q May I ask if there are any other grounds on
12 which you formed your opinion?

13 A The course of action pursued by the Japanese
14 Army during the war gave ample evidence that indoctrina-
15 tion had been sufficient during the years of training.

16 Q Then I would like to ask one thing else.
17 Do you know of the fact that military training in
18 schools was begun upon the demand of the Army?

19 A I would not so state.

20 Q Do you know of that fact?

21 A I would not so state.

22 Q Then do you also know of the fact that
23 students accepted military training because by doing
24 so the years of their service in the army when they
25 were conscripted would be reduced?

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1 A Students accepted it not only for that
2 reason but because students in Japan obeyed orders.

3 Q Did students in the United States of
4 America also receive military training in wartime?

5 A In certain schools and universities.

6 MR. SUGAWARA: I am Sugawara, counsel for
7 the defendant ARAKI.

8 CROSS-EXAMINATION

9 BY MR. SUGAWARA:

10 Q It seems the witness has made a long stay
11 in Japan, but what was his reason for coming to
12 Japan?

13 A My reason for coming to Japan was in a
14 private capacity as an instructor in a Japanese
15 Government-supported college.

16 Q Then you did not come on any mission of
17 war; you were not sent here on any mission by the
18 United States of America?

19 MONITOR: United States Government or any
20 organization thereof.

21 MR. HAMMACK: I object; that has been asked
22 and answered. He stated he came here in a private
23 capacity to teach in a university supported by the
24 Government of Japan.

25 Q I am asking for your statement.

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1 A For what statement is he asking?

2 Q If your opinion which you related previously
3 was not formed by you on direct observations you
4 must have heard it from other people; is that so?

5 A I have already testified that much of the
6 opinion was gained in interviews with Japanese.

7 Q What kind of people were these people
8 whom you interviewed? It would be still better if
9 you could give me some of their names.

10 A Since it has been more than five years,
11 I cannot give names. They were usually students
12 and teachers.

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Q I suppose the witness is aware that physical exercise is different from military training?

A Real physical exercise is certainly different, in the opinion of any educator, from military training.

Q The military training of which you spoke recently -- are you aware from what year that military training was enforced in Japan?

A I can name at least two dates on which laws were promulgated. One was in 1925, and one was in November, 1941.

Q Are you aware that in 1939 a parade in front of the Imperial Palace commemorating the fifteenth anniversary of the beginning of military training was held?

A I am aware that demonstrations commemorating military training were held.

Q You are aware of that, are you not? And are you also aware that school education must necessarily be different in war time from what it is in peace time?

A I am.

Q Are you aware that in this great war military training was enforced in almost all great countries, and in extreme cases even girls were

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1 forced to undergo military training?

2 MONITOR: Correction. In place of "all
3 great countries" it should read "all belligerents."

4 A Does the latter part of counsel's state-
5 ment refer to Japan?

6 Q It is a problem that covers the whole
7 world.

8 A I am not aware that, except in certain
9 countries, women or girls were given military
10 training during the war.

11 Q As you say that you were in Japan for
12 several years, do you believe that Japanese school
13 education as enforced after the commencement of the
14 China Incident of 1937 was too much -- was un-
15 necessarily severe, or whether it was necessary
16 in view of the fact that Japan, with her small
17 forces at her disposal, had to fight against the
18 teeming millions of China?

19 A I don't know the China Incident. I know
20 of an undeclared war by Japan against China.

21 Q I am not questioning you as to the legal-
22 ity or illegality of war. I am merely asking you
23 whether -- when at this time, when in reality the
24 war was actually going on -- it was proper for
25 students to receive the education they were or

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1 whether it was not proper.

2 MR. HAMMACK: To which I am going to
3 object. That would be calling for the opinion and
4 conclusion of the witness.

5 A It is my opinion that any action taken to
6 support Japanese aggression in China was unjusti-
7 fied.

8 Q Have you reported that opinion you pre-
9 viously stated in some form or another to some
10 American organization?

11 A When?

12 THE PRESIDENT: At some time or other.

13 THE WITNESS: At any time?

14 THE PRESIDENT: Have you reported?

15 THE WITNESS: Yes.

16 Q No. I have heard that you reported your
17 opinion concerning this while you were a teacher
18 in Japan.

19 MONITOR: Correction. I am asking whether
20 you made such report while you were teaching in
21 Japan.

22 MR. HAMMACK: To which I object, as to
23 whether or not he reported. It has no bearing, is
24 not responsive, and beyond the scope of direct ex-
25 amination.

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1 THE PRESIDENT: It could go to credit.

2 A I remember no such report.

3 Q Then, may I assume that you did not make
4 any such report?

5 A To the best of my recollection, no.

6 MR. SUGAWARA: That is all I have to say
7 to the witness. And to the members of the Tribunal
8 I wish to state my objection to the translation of
9 the Japanese phrase "hakko ichiu" because in Japan
10 these words have only a cultural meaning and have
11 no aggressive meaning whatsoever.

12 LIEUT. LAZARUS: Mr. President.

13 THE PRESIDENT: How long will you be?

14 MR. LAZARUS: I will be very short, sir.

15 THE PRESIDENT: Very well.

16 LIEUT. LAZARUS: Thank you, sir.

17 MR. FUJII: I am FUJII, counsel for the
18 defendant HOSHINO. The three hundred something
19 students, teachers, and graduates for whom you say
20 you investigated during your stay in Japan -- what
21 period of years did this investigation cover?

22 THE PRESIDENT: We can take a cross-
23 examination at a time, not two at a time. After
24 the gentleman at the stand has cross-examined, the
25 counsel who just sat down may cross-examine.

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1 We will adjourn now until thirty minutes
2 past nine tomorrow morning.

3 (Whereupon, at 1600, a recess
4 was taken until Tuesday, 18 June 1946, at
5 0930.)

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